



CITY COMMISSION STAFF REPORT

DEPARTMENT: Administration

SUBJECT: Resolution 23-18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COOPER CITY, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE SEVENTH AMENDMENT TO THE ORIGINAL AGREEMENT BETWEEN THE CITY OF COOPER CITY AND WASTE MANAGEMENT, INC. OF FLORIDA, ATTACHED HERETO AS EXHIBIT "A" AND INCORPORATED HEREIN; AUTHORIZING AND DIRECTING THE APPROPRIATE CITY OFFICIALS TO TAKE ANY AND ALL ACTION NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE

CITY MANAGER RECOMMENDATION:

The City Manager Recommends approval of Resolution 23-18, approving a six-month extension to the current Waste Management solid waste contract, from September 30, 2023 until March 31, 2024, due to the exigent and emergency circumstances associated with the timing of the competitive solicitation process.

BACKGROUND OF ITEM:

Having discussed this item over the past several commission meetings, a proposed resolution and seventh amendment agreement are now prepared for action if the Commission so chooses. As previously discussed, we anticipate the RFP for solid waste to go out in August, allowing the Mayor and City Commission to consider an award in late October. Regarding the solicitation process for a new RFP, City staff has been working diligently to work to get the RFP out on the street. This past spring the city manager, finance director, and public works director all left employment of the city. Thankfully, with the assistance of a specialized garbage consultant who worked in the past with the Town of Davie during their most recent RFP, as well as Kirk Buffington and our city staff, we have made good progress toward getting our RFP out for bid. We have at this juncture proposed a draft schedule which includes:

- 1) Issuing our RFP and advertising on August 9, 2023;
- 2) RFP proposals due back by September 8, 2023;
- 3) Review of proposals and selection of candidates for presentations, week of September 11 and week of September 18, 2023;
- 4) Presentations and Final Rankings, week of September 25th through week of October 9, 2023;

- 5) Recommendation of Award/Agenda item request by October 17, 2023; and
- 6) Anticipated award of contract by City Commission by Tuesday, October 24, 2023.

Please note as it relates to future rates for Cooper City residents, staff anticipates the rates for residential garbage and recycling to increase significantly as a result of the upcoming bids. In consultation with our solid waste consultant, many communities are seeing 30-50% increases on customer rates based on recent bidding data and increased costs/etc. related to hauling services. These charges are billed directly to our residents on their monthly city utility bill.

ANALYSIS:

Given the need to go out for bid, and given the fact that the RFP should have gone out for bid at the beginning of 2023; there is now insufficient time for the bid to be received back before the expiration of the current agreement for solid waste. Furthermore, if another vendor is selected as the lowest responsible bidder from this process, several months after award will be needed to secure a contract and to ensure a smooth transition to the new hauler. At this point, there is not enough time left in our current contract to allow for a transition if another hauler is selected. Securing a short-term six-month extension at this time, would avoid a clear and factual threat to public health, welfare, and safety for our residents if garbage were not able to be regularly collected for our citizens starting 10/1/2024. In light of this exigent circumstance, staff recommends the approval of this proposed amendment to the contract for the sake of allowing formal bidding and awarding of the contract, as well as to allow for sufficient transition time should another vendor be selected.

STRATEGIC PLAN:

N/A

FISCAL IMPACT:


Waste Management’s proposal for a 6 month extension includes a 5% cost increase for our residents. This cost is a direct pass through to the residents. Below you can see a snapshot of the overall costs of proposed extension:

| Garbage and Recycling Rates as June 15, 2023 | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------|--------------------|---------------|--|
| Rates | | | | | |
| | Current rate | 5% Increase | | | |
| Garbage | \$ 28.39 | \$ 29.81 | | | |
| Recycle | \$ 3.53 | \$ 3.71 | | | |
| Recycle processing* | \$ 2.24 | \$ 2.24 | | | |
| Total Cost | \$ 34.16 | \$ 35.76 | | | |
| # of Residential Accounts | Current Costs per month | Costs with 5% increase | Increase (1 Month) | Over 6 months | |
| 10,875 | \$ 371,490.00 | \$ 388,846.50 | \$ 17,356.50 | \$ 104,139.00 | |
| * The Recycling Processing rate will also be adjusted on October 1, 2023 to reflect the new WM processing rate in the county. | | | | | |
| Our rates were also increased by WIN Waste on July 3rd, and there will be a second adjustment on Oct 1st, 2023, based on the new disposal per ton rate. | | | | | |

| <u>General Ledger Acct. Number</u> | <u>Budgeted Amount</u> | <u>Requested Amount</u> | <u>Remaining Amount</u> |
|------------------------------------|------------------------|-------------------------|-------------------------|
| N/A | N/A | N/A | N/A |

ALTERNATIVES:
NONE AT THIS TIME.

- ATTACHMENTS:**
1. Resolution 23-18
 2. Seventh Amendment (Waste Management)

| Workflow History  | | | |
|------------------------------------------------------------------------------------------------------|--------------------------|---------------------------|----------------------|
| User | Task | Action | Date/Time |
| Allen, Tedra | NEW ITEM: Not Yet Routed | *COMPLETE: Forward to ... | 07/28/23 05:46 PM |
| Horowitz, Jacob | Assigned to Attorney | COMPLETE: Forward to ... | 08/01/23 04:04 PM |
| Eggleston, Ryan | Assigned to City Manager | COMPLETE: Forward to ... | 08/01/23 04:04 PM |
| Allen, Tedra | Assigned to City Clerk | APPROVE ITEM: End Wo... | 08/01/23 04:12 PM |
| Allen, Tedra | END WORKFLOW - APPROVED | | 08/01/23 04:25 PM |