



CITY COMMISSION ORDINANCE/RESOLUTION

TITLE: Ordinance 23-31 (Administration)

DATE: December 12, 2023

DESCRIPTION: AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA, APPROVING THE FRANCHISE AGREEMENT WITH EASTERN WASTE SYSTEMS, INC. (“EWS”) FOR BULK WASTE/TRASH AND BULK YARD WASTE COLLECTION SERVICES, ATTACHED HERETO AS EXHIBIT “A” (THE “AGREEMENT”); GRANTING AN EXCLUSIVE FRANCHISE TO EWS PURSUANT TO THE TERMS AND CONDITIONS SET FORTH IN THE AGREEMENT; AUTHORIZING AND DIRECTING THE CITY MANAGER TO FINALIZE AND EXECUTE THE FRANCHISE AGREEMENT BETWEEN THE CITY AND EWS; AND PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR EFFECTIVE DATE.

CITY MANAGER RECOMMENDATION:

The City Manager recommends the Commission to approve the execution of the franchise agreement with Eastern Waste Systems, Inc.

BACKGROUND OF ITEM:

Beginning January 23, 2001, Cooper City has had a collection services agreement with Waste Management Inc. of Florida providing for the collection and hauling of commercial and residential municipal solid waste (MSW), residential bulk and recycling, and Rolloff services. The seventh amendment to this agreement was executed August 24, 2023 and provided for a limited six-month extension of the services agreement. This agreement expires on March 31, 2024.

Request for Proposal (RFP) 2023-2-PW was issued September 29, 2023 to competitively bid these services with the changes/additions to the current service levels/contractual requirements including:

- a. City to assume responsibility for actual residential MSW and bulk disposal costs
- b. Proposers asked to identify their fees for all services for years 1 through 7 of the initial contract term
- c. Franchise fees (12%) to apply to all charges, including billed disposal.
- d. Customer service specifications including multi-lingual call center, web platforms and reporting tools.
- e. Administrative charges to apply to critical service measures.
- f. \$120,000 annual payment to support Solid Waste Coordinator position to be created
- g. Increase in annual scholarship payment from \$5,000 to \$10,000 per year.

- h. Multi-family properties to be billed as single-family properties eliminating additional costs and invoicing to the City.
- i. Emergency debris services included for bulk (as needed).
- j. Extra services upon request for bulk customers.
- k. Exploration of bulk serviced at current levels, once monthly on Mondays, once every other month at 10cy per collection and once quarterly at 15cy per collection.

ANALYSIS:

The procurement process to rebid these services began September 29, 2023, with the issuance of RFP 2023-2-PW. The RFP closed October 23, 2023 were receiving a total of four proposals from the following qualified vendors:

- 1. Coastal Waste & Recycling, Inc.
- 2. Eastern Waste Systems, Inc.
- 3. Waste Management Inc. of Florida
- 4. Waste Pro of Florida, Inc.

In accordance with the City's Procurement Code, an Evaluation Committee (EC) was established, comprised of five members with a mix of internal and external subject matter experts and stakeholders as follows:

- 1. Phillip R. Holste- Assistant Town Administrator, Town of Davie
- 2. Notosha Austin- Interim Director, Broward County Solid Waste & Recycling Services
- 3. Dawn DeLand- Senior Administrative Specialist, Cooper City- Public Works Department
- 4. Captain Christopher De Giovanni- BSO District Police Chief for Cooper City
- 5. Michael Nadeau- Senior Budget Analyst, Cooper City- Finance Department

The committee convened for a total of three meetings to thoroughly assess the proposals.

After initial evaluations on November 3, 2023, the EC short-listed the following three proposers:

- 1. Coastal Waste & Recycling, Inc.
- 2. Eastern Waste Systems, Inc.
- 3. Waste Management Inc. of Florida

These three vendors were invited to provide formal presentations and question-and-answer sessions on November 8, 2023, specifically addressing services related to MSW, Recycling, and Bulk Waste. Coastal Waste & Recycling and Waste Management were identified as the two finalists for MSW, recycling and Rolloff services. (Eastern Waste Systems, Inc. only submitted a proposal for bulk waste services). During this meeting, the EC determined that it was in the best interest of the City to request proposers submit their "Best and Final Offers" in accordance with Sec. 2-256(3)(g) of the City Code. These were received on Monday, November 13, 2023 by all proposers.

The EC reconvened on November 14, 2023 for a final meeting to assess the “Best and Final Offers”, conduct a final evaluation and ranking, and voted to recommend the separate award of a contract for bulk waste services to Eastern Waste Systems, Inc. at the current service level (6cy once per month) and commercial and residential MSW, recycling and Rolloff services to Coastal Waste & Recycling, Inc. Eastern Waste Systems, Inc. currently provides bulk waste services to the City as a subcontractor for the current hauler, Waste Management Inc. of Florida.

The contract for commercial and residential MSW, recycling and Rolloff services is being recommended for Commission approval under a separate staff report (Ordinance 23-30)

STRATEGIC PLAN:

Strategic Plan #2 – serving the best interests of the health, safety and welfare of the citizens and residents of the City.

PROCUREMENT:

[Sec. 2-256 - Methods of Source Selection \(3\)Competitive sealed proposals \(Request for Proposals\).](#)

FISCAL IMPACT:

Solid waste charges are not budgeted. Rates charged to customers are a pass through. The amount provided below is calculated from the commencement date of agreement, April 1st 2024 through September 30th, 2024.

<u>General Ledger Acct. Number</u>	<u>Budgeted Amount</u>	<u>Requested Amount</u>	<u>Remaining Amount</u>
601-000-202010-00 Solid Waste		\$233,229.84	

ALTERNATIVES:


The City could explore the potential benefits of bundling all services under a singular contract with one vendor. Potential benefits include operational synergies, enhanced vendor accountability, one point of contact for customer service issues and requests and simplified administration.

Eastern Waste Systems, Inc. submitted pricing for current service levels, bulk serviced every other month at 10cy per collection and bulk serviced quarterly at 15cy per collection but did not submit pricing for once monthly Monday service. The City could choose an alternative service schedule with Eastern Waste Systems, Inc. or award to Coastal Waste & Recycling, Inc. or Waste Management Inc. of Florida if it desires to change service to once monthly Monday service.

ATTACHMENTS:

1. City of Cooper City Agreement – Eastern Waste Systems, In
2. Exhibit A – Solicitation – RFP 2023-2-PW Solid Waste Removal Services
3. Exhibit B – Eastern Waste Systems, Inc. Submittal
4. Exhibit C – Eastern Waste Systems, Inc. Validation and Verification

5. Tabulation – RFP 2023-2PW
6. Vendor Compliance – Eastern Waste Systems, Inc.
7. Memo 2023-007 Chronology of Solid Waste Contract

Workflow History 			
User	Task	Action	Date/Time
Allen, Tedra	NEW ITEM: Not Yet Routed	Route to Purchasing	12/01/23 11:34 AM
Dodgen, Brandon	Assigned to Purchasing	COMPLETE: Forward to ...	12/06/23 06:22 PM
Allen, Tedra	Assigned to City Clerk	Route to Attorney	12/07/23 08:28 AM
Horowitz, Jacob	Assigned to Attorney	COMPLETE: Forward to ...	12/07/23 01:33 PM
Eggleston, Ryan	Assigned to City Manager	COMPLETE: Forward to ...	12/07/23 01:38 PM
Allen, Tedra	Assigned to City Clerk	APPROVE ITEM: End Wo...	12/08/23 11:14 AM
Allen, Tedra	END WORKFLOW - APPROVED		12/08/23 11:15 AM