

**RESOLUTION NO. 2022-194**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT BETWEEN THE CITY OF COCONUT CREEK AND CLEAN HARBORS ENVIRONMENTAL SERVICES, INC. TO PROVIDE HOUSEHOLD HAZARDOUS WASTE COLLECTION AND DISPOSAL SERVICES PURSUANT TO RFP NO. 06-06-18-11; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City has an agreement with Clean Harbors Environmental Services, Inc. to provide household hazardous waste collection and disposal services pursuant to Request for Proposals (RFP) No. 06-06-18-11; and

**WHEREAS**, the City of Coconut Creek is the lead agency for this cooperative contract on behalf of the Southeast Florida Governmental Purchasing Co-operative Group; and

**WHEREAS**, the agreement provided for an initial contract period of two (2) years with the option to extend the contract for two (2) additional two (2) year periods; and

**WHEREAS**, the initial two (2) year period and first two (2) year extension have been executed, which first extension is set to expire on October 23, 2022; and

**WHEREAS**, the agreement provides for limited price increase not exceeding the lesser of five percent (5%) or the latest yearly percentage increase in the All Urban Consumers Price Index (CPI-U) (All Items), for the Miami-Ft. Lauderdale, FL area, as published by the Bureau of Labor Statistics, U.S. Department of Labor; and

**WHEREAS**, unusual and significant changes have occurred in the industry; and

**WHEREAS**, the Vendor has proposed alternate price increases of fifteen percent (15%) based on a one (1) year extension or nineteen percent (19%) on a two (2) year

extension; and

**WHEREAS**, the City desires to extend the agreement for only a single year subject to a negotiated twelve percent (12%) increase; and

**WHEREAS**, the City Commission deems it to be in the best interest of the residents of the City of Coconut Creek to extend the contract with Clean Harbors Environmental Services, Inc. to provide household hazardous waste collection and disposal services pursuant to the terms of Amendment No. 1.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA:**

**Section 1:** That the foregoing “WHEREAS” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this resolution. All exhibits attached hereto are incorporated herein and made a specific part of this resolution.

**Section 2:** That the City Commission has reviewed and hereby approves Amendment No. 1 to the Agreement between the City of Coconut Creek and Clean Harbors Environmental Services, Inc. for the purpose of providing household hazardous waste collection and disposal services.

**Section 3:** That the City Manager, or designee, is hereby authorized to execute the Amendment No. 1 to the Agreement between the City of Coconut Creek and Clean Harbors Environmental Services, Inc. to provide household hazardous waste collection and disposal service.

**Section 4:** That if any clause, section, other part or application of this resolution is held by any court of competent jurisdiction to be unconstitutional or invalid, in part or in application, it shall not affect the validity of the remaining portion or applications of this resolution.

**Section 5:** That this resolution shall be in full force and effect immediately upon its adoption.

**Adopted this 22<sup>nd</sup> day of September, 2022.**

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Joshua Rydell, Mayor

Attest:

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Joseph J. Kavanagh, City Clerk

Rydell        Aye  

Welch        Aye  

Tooley       Aye  

Railey       Aye  

Brodie       Aye