

ORDINANCE NO. 2019-014

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, GRANTING AN EXCLUSIVE FRANCHISE TO REPUBLIC SERVICES OF FLORIDA, L.P. TO PROVIDE SOLID WASTE DISPOSAL SERVICE AND RECYCLING SERVICE WITHIN THE CITY OF COCONUT CREEK; AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE ATTACHED FRANCHISE AGREEMENT BETWEEN THE CITY AND REPUBLIC SERVICES OF FLORIDA, L.P. PURSUANT TO RFP NO. 04-17-19-10; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City's current franchise agreement for collection and disposal of solid waste within the City with Republic Services of Florida, L.P. terminates at midnight on September 30, 2019; and

WHEREAS, on February 17, 2019, the City issued a request for proposals pursuant to RFP No. 04-17-19-10 ("RFP") to competitively procure a qualified and experienced vendor to provide solid waste disposal services and recycling services to the City; and

WHEREAS, solicitations were sent through the City's eBid system to forty-two (42) prospective vendors, resulting in four (4) vendors who submitted responses: 1) Coastal Waste & Recycling of Palm Beach, LLC; 2) Republic Services of Florida, L.P.; 3) Waste Management of Florida; and 4) Waste Pro of Florida, Inc.; and

WHEREAS, the selection committee, which included Alex Tergis, Public Works Assistant Director; Mike Heimbach, Public Works Program Manager; and Jean Dupuis, Utilities Assistant Director, evaluated the responsive submittals based on the criteria listed in the RFP; and

WHEREAS, based on the responses, presentations, and overall information provided to the selection committee, its members recommend awarding the contract to Republic Services of Florida, L.P.; and

WHEREAS, a negotiation committee consisting of Mike Heimbach, Public Works Program Manager; Bernadette Hughes, Assistant to the City Manager; and Peta-Gay Lake, Deputy Director of Finance and Administrative Services, negotiated certain details of the Agreement; and

WHEREAS, the City Commission finds and determines that in order to protect the health, safety, and welfare of the City's residents, business owners, and visitors, it must ensure that solid waste is collected and disposed of in an appropriate and responsible manner in order to prevent the spread of garbage, debris, and other materials that are injurious to the public health; and

WHEREAS, to that end, the City Commission hereby authorizes the City Manager, or designee, to execute the exclusive franchise agreement between the City of Coconut Creek, Florida and Republic Services of Florida, L.P. for the Collection of Solid Waste and Recycling Materials, attached hereto as Exhibit "A," in order to grant an exclusive franchise for such collection and disposal services for a period of seven (7) years, with one (1) renewal term not to exceed five (5) years.

NOW, THEREFORE, THE CITY COMMISSION OF THE CITY OF COCONUT CREEK HEREBY ORDAINS:

Section 1: Ratification. That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this ordinance. Exhibit "A," attached hereto, is incorporated herein and made a specific part of this ordinance.

Section 2: That the City Commission hereby grants an exclusive franchise for solid waste collection and disposal to Republic Services of Florida, L.P. consistent with Chapter 12, "Garbage and Refuse," of the City's Code of Ordinances and the terms and conditions contained in Exhibit "A."

Section 3: That the City Manager, or designee, is hereby authorized to execute the exclusive franchise agreement between the City of Coconut Creek, Florida and Republic Services of Florida, L.P. for the Collection of Solid Waste and Recycling Materials, Exhibit "A," in order to grant an exclusive franchise for such collection and disposal services for a period of seven (7) years, with one (1) renewal term not to exceed five (5) years.

Section 4: Conflicts. That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 5: Severability. That should any section or provision of this ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

Section 6: Effective Date. That this ordinance shall become effective upon its passage on second and final reading.

PASSED FIRST READING THIS 11TH DAY OF JULY _____, 2019.

PASSED SECOND READING THIS 8TH DAY OF AUGUST _____, 2019.

Sandra L. Welch, Mayor

Attest:

Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Welch	<u>Aye</u>	<u>Aye</u>
Sarbone	<u>Aye</u>	<u>Aye</u>
Tooley	<u>Aye</u>	<u>Aye</u>
Belvedere	<u>Aye</u>	<u>Absent</u>
Rydell	<u>Aye</u>	<u>Aye</u>