

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE ADMINISTRATION TO ISSUE A REQUEST FOR QUALIFICATIONS (RFQ), PURSUANT TO SECTION 90-229 OF THE CITY CODE, FOR THE SELECTION OF UP TO THREE ADDITIONAL NON-EXCLUSIVE FRANCHISE WASTE CONTRACTORS FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL FOR (1) MULTIFAMILY RESIDENCES WITH NINE OR MORE UNITS; (2) COMMERCIAL SOLID WASTE COLLECTION AND DISPOSAL; (3) RECYCLING SERVICES FOR MULTI-FAMILY RESIDENCES WITH TWO OR MORE UNITS; AND (4) COMMERCIAL PROPERTIES WITHIN THE CITY; PROVIDING THAT THE TERM OF ANY FRANCHISES AWARDED PURSUANT TO THIS RFQ (IF ANY) SHALL RUN CONCURRENT WITH THE TERM OF THE EXISTING FRANCHISES, SO THAT THEY ALL EXPIRE ON SEPTEMBER 30, 2022; AND FURTHER, DIRECTING THE ADMINISTRATION TO ISSUE THE RFQ WITHIN THIRTY (30) DAYS FOLLOWING APPROVAL OF THIS RESOLUTION, AND REQUIRING THAT THE FINAL RFQ BE TRANSMITTED TO THE MAYOR AND CITY COMMISSION VIA LETTER TO COMMISSION PRIOR TO ISSUANCE THEREOF.

WHEREAS, the City has not issued a Request for Qualifications for residential multi-family and commercial solid waste collection and disposal since 2013; and

WHEREAS, on July 23, 2014, the Mayor and City Commission adopted Resolution No. 2014-28681, authorizing new franchise agreements with three (3) proposers, Waste Management Inc. of Florida, Progressive Waste Solutions of FL, Inc., and Southern Waste Systems, LLC, which agreements were executed effective October 1, 2014; and

WHEREAS, on or about January, 2016, Southern Waste Systems, LLC, one of the City's three (3) non-exclusive franchisees, was acquired by Waste Management Inc. of Florida, thereby reducing the City's franchisees – and competition among the City's franchisees – from three (3) providers to two (2) providers; and

WHEREAS, in recognition that additional competition in the marketplace for solid waste collection and disposal services is beneficial to customers, Section 90-229 of the City Code authorizes the City to approve up to five (5) franchise waste contractors for residential and commercial solid waste collection and disposal; and

WHEREAS, Section 90-229 sets forth minimum qualifications and requirements that must be considered prior to the granting of any franchise for solid waste collection and disposal, including evidence of the applicant's ability to perform, certification that applicant has not defaulted on any prior governmental contract, and other requirements designed to ensure the franchisee has the ability to provide quality services to the City's residents and businesses; and

WHEREAS, on October 16, 2019, the Mayor and City Commission adopted Resolution No. 2019-31056, approving the extension of the City's existing Non-Exclusive Franchise Waste Contractor Agreement and Service Agreement with, respectively: 1) Waste Management Inc. of Florida; and 2) Waste Connections of Florida, Inc. (f/k/a/ Progressive Waste Solutions of FL, Inc.), with the foregoing agreements expiring on September 30, 2022; and

WHEREAS, notwithstanding that the two (2) current providers are performing at an acceptable level, a Request for Qualifications for up to three (3) additional franchisees, as authorized by the City Code, would permit the City Commission to test the market and consider any Administration recommendation as to the qualifications of any applicants; and

WHEREAS, the issuance of an RFQ would not obligate the City Commission to grant any franchise, and would only have the potential of enhancing competition for such services, for the benefit of City's residents and businesses; and

WHEREAS, in view of the importance of enhanced competition, the City Commission desires for the RFQ process to be completed as soon as possible, with recommendations from the Administration not later than six months from the date of issuance of the RFQ.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission of the City of Miami Beach, Florida, hereby authorize the Administration to issue a Request for Qualifications (RFQ), pursuant to Section 90-229 of the City Code, for the selection of up to three additional Non-Exclusive Franchise Waste Contractors for (1) Residential Solid Waste Collection and Disposal for Multifamily Residences with nine or more units; (2) Commercial Solid Waste Collection and Disposal; (3) Recycling Services for Multi-Family Residences with two or more units; and (4) Commercial Properties within the City; Providing that the Term of Any Franchises Awarded Pursuant to this RFQ (if any) Shall Run Concurrent with the Term of the Existing Franchises, so that they all expire on September 30, 2022; and further, directing the Administration to issue the RFQ within thirty (30) days following approval of this Resolution, and require that the final RFQ be transmitted to the Mayor and City Commission via Letter to Commission prior to issuance thereof.

PASSED AND ADOPTED this ____ day of February, 2020.

ATTEST:

Dan Gelber, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Vice Mayor David Richardson)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION

Rafael Granado 2-4-20

City Attorney *RAG* Date