

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE WRITTEN RECOMMENDATION OF THE CITY MANAGER (AS SET FORTH IN THE CITY COMMISSION MEMORANDUM ACCOMPANYING THIS RESOLUTION) AND WAIVING, BY 5/7TH VOTE, THE FORMAL COMPETITIVE BIDDING REQUIREMENT, FINDING SUCH WAIVER TO BE IN THE BEST INTEREST OF THE CITY, AND APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH MIAMI BEACH GARDEN CONSERVANCY, INC FOR THE MANAGEMENT AND OPERATION OF THE NORTH BEACH COMPOSTING HUB; SAID AGREEMENT HAVING AN INITIAL ONE-YEAR TERM, COMMENCING RETROACTIVELY AS OF JANUARY 1, 2022 AND ENDING ON DECEMBER 31, 2022, FOR A TOTAL CONTRACT AMOUNT OF \$50,000, WITH SUBSEQUENT ANNUAL RENEWAL TERMS, AT THE OPTION OF THE CITY, SUBJECT TO FUNDING APPROVAL OF THE CONTRACT AMOUNT FOR EACH RENEWAL TERM BY THE CITY COMMISSION DURING THE CITY'S ANNUAL BUDGETARY PROCESS.

WHEREAS, on July 17, 2019, the Mayor and City Commission adopted Resolution No. 2019-30891, adopting the seventh amendment to the capital budget for Fiscal Year 2018/2019, which amendment included funding, in the amount of \$75,000, to begin a pilot community composting program in North Beach, located at 85th Street and Collins Avenue; and

WHEREAS, on January 13, 2020, the City and Miami Beach Garden Conservancy, Inc. (the "Conservancy") executed a Professional Services Agreement (the "Initial Agreement") establishing the pilot program for the North Beach Community Composting Hub (the "Program"), which implementation of services included supervising, delivering, monitoring, and maintenance of the composting Program at the North Beach hub, with an initial budget of \$37,400; and

WHEREAS, the Initial Agreement provided for an initial one-year term, with the option of the City to renew for one (1) more year (the "renewal term"), ending on December 31, 2021; and

WHEREAS, to continue the Program through the renewal term, the City increased the budget by \$15,000, for a total contract amount of \$52,400, which was memorialized in Amendment No. 1 to the Initial Agreement; and

WHEREAS, in order to continue the Program for calendar year 2022, \$50,000 may be funded through the existing operating budget under the Environment and Sustainability Department; and

WHEREAS, funding for the Program in upcoming calendar years must be identified through the annual budget process to ensure the continuation of the Program; and

WHEREAS, the Conservancy currently operates the Miami Beach Botanical Garden and has unmatched experience in the management of community composting programs, including the one located at the Miami Beach Botanical Garden site; and

WHEREAS, the North Beach Composting Hub provides a convenient location for North Beach residents to participate in the transformation of food waste into nutrient rich soil; and

WHEREAS, based upon the foregoing, the City Manager recommends that the Mayor and City Commission waive, by a 5/7th vote, the formal competitive bidding requirement, as permitted under Section 2-367(e) of the City Code, as being in the best interest of the City; and

WHEREAS, the Administration recommends executing a new Professional Services Agreement with the Conservancy (the "Agreement") for the management and operation of the Program, in the form attached to the City Commission Memorandum accompanying this Resolution; said Agreement having an initial one-year term, commencing retroactively as of January 1, 2022 and expiring on December 31, 2022, for a total contract amount of \$50,000; and further providing for subsequent annual renewal terms, at the option of the City, subject to funding approval of the contract amount for each renewal term by the City Commission during the City's annual budgetary process.

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 hereby accept the written recommendation of the City Manager (as set forth in the City Commission Memorandum accompanying this Resolution) and waive, by 5/7th vote, the formal competitive bidding requirement, finding such waiver to be in the best interest of the City, and approve and authorize the City Manager to execute a Professional Services Agreement with Miami Beach Garden Conservancy, Inc. for the management and operation of the North Beach Composting Hub; said Agreement having an initial one-year term, commencing retroactively as of January 1, 2022 and ending on December 31, 2022, for a total contract amount of \$50,000, with subsequent annual renewal terms, at the option of the City, subject to funding approval of the contract amount for each renewal term by the City Commission during the City's annual budgetary process.

PASSED and ADOPTED this ____ day of March ____, 2022.

ATTEST:

Rafael E. Granado, City Clerk

Dan Gelber, Mayor

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney *AMT*

2-28-22

Date