

Introduced by the Council President at the request of the Mayor:

ORDINANCE 2025-601

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR, OR HER DESIGNEE, AND THE CORPORATION SECRETARY TO EXECUTE A SIXTH AMENDMENT TO AMENDED AND RESTATED AGREEMENT FOR RESIDENTIAL WASTE AND RECYCLING COLLECTION AND TRANSPORTATION SERVICES (SERVICE AREA III) BETWEEN THE CITY OF JACKSONVILLE AND WASTE PRO OF FLORIDA, INC., TO EXTEND THE AGREEMENT TERM THROUGH SEPTEMBER 30, 2035, REPLACE THE RATE REVIEW PROCESS WITH ANNUAL CPI ADJUSTMENTS COMMENCING OCTOBER 1, 2025 AND ESTABLISH A PROCESS FOR EXTRAORDINARY RATE ADJUSTMENT, SET FUEL CAPS FOR FISCAL YEAR 2025-2026, FISCAL YEAR 2026-2027 AND FISCAL YEAR 2027-2028, AMEND THE PROCESS FOR CONDUCTING RESIDENTIAL PREMISES COUNTS, AND AMEND CERTAIN OTHER PROVISIONS, INCLUDING COLLECTION SERVICES, VEHICLE IDENTIFICATION REQUIREMENTS, LIQUIDATED DAMAGES, DISPUTE RESOLUTION AND REPORTING REQUIREMENTS; WAIVING SECTION 382.308(L) (EXTENSION OF CONTRACT), *ORDINANCE CODE*; PROVIDING FOR CITY OVERSIGHT BY THE SOLID WASTE DIVISION OF THE OFFICE OF ADMINISTRATIVE SERVICES; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Jacksonville ("City") and Waste Pro of Florida, Inc. ("Contractor") entered into the Amended and Restated

1 Agreement for Residential Waste and Recycling Collection and
2 Transportation Services dated March 1, 2013, as amended by the First
3 Amendment dated July 1, 2014, as further amended by the Second
4 Amendment dated August 1, 2017, as further amended by the Third
5 Amendment dated July 29, 2020, as further amended by the Fourth
6 Amendment effective October 1, 2022, and as further amended by the
7 Fifth Amendment effective June 7, 2023 (collectively, the
8 "Agreement"); and

9 **WHEREAS,** the Contractor has requested, and the City has agreed,
10 subject to City Council approval, to amend the Agreement to extend
11 the Agreement term through September 30, 2035, replace the rate review
12 process with annual CPI adjustments and establish a process for
13 extraordinary rate adjustment, set fuel caps for fiscal year 2025-
14 2026, fiscal year 2026-2027 and fiscal year 2027-2028, amend the
15 process for conducting residential premises counts, and amend certain
16 other provisions, including collection services, vehicle
17 identification requirements, increase liquidated damages amounts,
18 dispute resolution and reporting requirements; now therefore

19 **BE IT ORDAINED** by the Council of the City of Jacksonville:

20 **Section 1. Approval and Authorization to Execute Sixth**
21 **Amendment to Agreement.** The Mayor, or her designee, and the
22 Corporation Secretary are hereby authorized to execute that certain
23 Sixth Amendment to Amended and Restated Agreement for Residential
24 Waste and Recycling Collection and Transportation Services (Service
25 Area III) between the City and Contractor (the "Sixth Amendment") in
26 substantially the same form attached hereto as **Exhibit 1** and
27 incorporated herein by this reference.

28 **Section 2. Waiver of Section 382.308(1) (Extension of**
29 **contract), Ordinance Code.** The provisions of Section 382.308(1)
30 (Extension of contract), *Ordinance Code*, are waived. The waiver is
31 necessary to effectuate the Sixth Amendment.

1 **Section 3. Oversight.** The Solid Waste Division of the
2 Office of Administrative Services shall oversee the Agreement
3 described herein.

4 **Section 4. Effective Date.** This Ordinance shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

7
8 Form Approved:

9
10 /S/ Joelle J. Dillard

11 Office of General Counsel

12 Legislation Prepared By: Joelle J. Dillard

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