

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2020-204-E**

5 AN ORDINANCE APPROVING AND AUTHORIZING THE
6 MAYOR, OR HIS DESIGNEE, AND THE CORPORATION
7 SECRETARY TO EXECUTE A THIRD AMENDMENT TO THE
8 EXISTING AGREEMENT WITH REPUBLIC SERVICES OF
9 FLORIDA LIMITED PARTNERSHIP D/B/A SOUTHLAND
10 WASTE SYSTEMS OF JACKSONVILLE; SETTING RATES
11 FROM THE 2019 RATE REVIEW COMMENCING OCTOBER
12 1, 2019; SETTING FUEL CAPS FOR FISCAL YEARS
13 2019-2020 AND 2020-2021; APPROVING THE PREMISE
14 COUNT CONDUCTED IN CONNECTION WITH THE RATE
15 REVIEW; PROVIDING FOR A MARKUP ON EXPENSES;
16 PROVIDING FOR CITY OVERSIGHT BY THE SOLID
17 WASTE DIVISION OF THE DEPARTMENT OF PUBLIC
18 WORKS; PROVIDING AN EFFECTIVE DATE.

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20 **WHEREAS**, Chapter 382, Part 3, *Ordinance Code*, provides for a
21 rate review to determine the rate and measure of compensation to be
22 paid each residential waste and recycling contractor's Agreement
23 for Residential Waste and Recycling Collection and Transportation
24 Services (the "Residential Collection Agreements") with the City,
25 and the Residential Collection Agreements also provide for rate
26 review and rate adjustment; and

27 **WHEREAS**, the Council approved an amended and restated contract
28 with Republic Services of Florida Limited Partnership d/b/a
29 Southland Waste Systems of Jacksonville ("SWS") pursuant to
30 Ordinance 2012-349-E (the "Contract"), a First Amendment to the
31 Contract pursuant to Ordinance 2014-283-E, and a Second Amendment

1 to the Contract pursuant to Ordinance 2017-58-E; and

2 **WHEREAS**, the Council Auditor and Administration performed a
3 rate review of the compensation previously paid and projected to be
4 paid to SWS for residential waste (garbage, yard waste, tires, and
5 white goods) and recycling collection and transportation services
6 to the City, and reported their review and rate recommendation to
7 the Council; and

8 **WHEREAS**, the Council has established a rate to be paid to SWS;
9 now therefore

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

11 **Section 1. Approval and authorization to execute.** The
12 terms established by the Council Rate Review process as set forth
13 in **Exhibit 2**, attached hereto and incorporated herein by this
14 reference, are hereby approved, and the Mayor, or his designee, and
15 the Corporation Secretary are hereby authorized to execute the
16 Third Amendment to the Amended and Restated Agreement for
17 Residential Waste and Recycling Collection and Transportation
18 Services between the City and SWS, in substantially the same form
19 attached hereto as **Exhibit 1** and incorporated herein by this
20 reference, which incorporates the terms set forth in **Exhibit 2**.

21 **Section 2. Mark-up on Expenses.** The monthly base rate
22 component of \$12.94 set forth in **Exhibit 2** represents a mark-up of
23 10.00% from agreed upon operating expenses of \$10,859,258.00 before
24 profit, interest expenses, and corporate taxes.

25 **Section 3. Oversight.** The Solid Waste Division of the
26 Department of Public Works shall oversee the Residential Collection
27 Agreement described herein.

28 **Section 4. Effective Date.** This ordinance shall become
29 effective upon signature by the Mayor or upon becoming effective
30 without the Mayor's signature.

1 Form Approved:

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3 /s/ James R. McCain, Jr.

4 Office of General Counsel

5 Legislation prepared by: James R. McCain, Jr.

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