

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2021-55**

5 AN ORDINANCE AMENDING CHAPTER 382 (WASTE
6 COLLECTION AND DISPOSAL SERVICE BY CONTRACTORS
7 AND CITY), PART 3 (SELECTION OF WASTE COLLECTION
8 AND DISPOSAL SERVICE AREAS AND CONTRACTORS),
9 SECTION 382.303 (ADVERTISING FOR NEW SERVICE
10 CONTRACTORS), *ORDINANCE CODE*, TO PROVIDE FOR AN
11 EARLIER APPLICATION SUBMISSION DATE FOR NEW
12 SERVICE CONTRACTORS; AUTHORIZING THE ISSUANCE OF
13 REQUESTS FOR PROPOSALS IN ACCORDANCE WITH
14 CHAPTER 126 (PROCUREMENT CODE), PART 2
15 (SUPPLIES, CONTRACTUAL SERVICES AND CAPITAL
16 IMPROVEMENTS), *ORDINANCE CODE*, TO PROCURE
17 SERVICES FOR THE COLLECTION AND TRANSPORTATION
18 OF RESIDENTIAL SOLID WASTE AND RECYCLABLES IN
19 LIEU OF THE ADVERTISEMENT, APPLICATION AND
20 SELECTION PROCESS SET FORTH IN CHAPTER 382
21 (WASTE COLLECTION AND DISPOSAL SERVICE BY
22 CONTRACTORS AND CITY), PART 3 (SELECTION OF
23 WASTE COLLECTION AND DISPOSAL SERVICE AREAS AND
24 CONTRACTORS), SECTIONS 382.303 THROUGH 382.308,
25 *ORDINANCE CODE*; WAIVING SECTIONS 382.303
26 (ADVERTISING FOR NEW SERVICE CONTRACTORS),
27 382.304 (FILING OF APPLICATIONS), 382.305
28 (CONTENT OF APPLICATION), 382.306 (PUBLIC
29 HEARING ON AWARD OF NEW CONTRACT), 382.307
30 (AWARD OF NEW CONTRACT) AND 382.308 (CONTRACT
31 PROVISIONS; EXEMPTION FROM PURCHASING CODE;

1 EXTENSION OF CONTRACTS), *ORDINANCE CODE*, TO
2 ALLOW FOR THE ISSUANCE OF A REQUEST FOR PROPOSAL
3 SOLICITATION TO PROCURE SERVICES FOR THE
4 COLLECTION AND TRANSPORTATION OF RESIDENTIAL
5 SOLID WASTE AND RECYCLABLES IN ACCORDANCE WITH
6 CHAPTER 126 (PROCUREMENT CODE), PART 2
7 (SUPPLIES, CONTRACTUAL SERVICES AND CAPITAL
8 IMPROVEMENTS), *ORDINANCE CODE*; PROVIDING FOR
9 CODIFICATION INSTRUCTIONS; PROVIDING AN
10 EFFECTIVE DATE.
11

12 **WHEREAS**, Chapter 382 (Waste Collection and Disposal Service by
13 Contractors and City), Part 3 (Selection of Waste Collection and
14 Disposal Service Areas and Contractors), Sections 382.303 through
15 382.308, *Ordinance Code*, sets forth the advertisement, application
16 and selection process for contractors to provide services to the City
17 for the collection and transportation of residential solid waste and
18 recyclables ("Services") in the geographic service areas defined in
19 Section 382.301, *Ordinance Code*, as amended ("Service Area(s)"); and

20 **WHEREAS**, historically, the existing three (3) City contracts
21 with residential waste haulers for Services have been amended and
22 extended in lieu of utilizing the advertisement, application and
23 selection process outlined in Sections 382.303 through 382.308,
24 *Ordinance Code*; and

25 **WHEREAS**, on or about October 1, 2007, the City entered into
26 contracts with three (3) residential haulers for Services for each
27 Service Area; and

28 **WHEREAS**, the City's amended and restated residential waste
29 hauler contract for Service Area II will expire on September 30,
30 2021; and

31 **WHEREAS**, it is the objective of the City to provide the residents

1 of Service Area II with the best Services at the most competitive
2 cost; and

3 **WHEREAS**, in order to achieve this objective, the City needs the
4 option of pursuing procurement of Services pursuant to Chapter 126,
5 Part 2 (Supplies, Contractual Services, and Capital Improvements),
6 *Ordinance Code*, by selecting a contractor pursuant to a request for
7 proposal solicitation under Chapter 126, Part 2, rather than the
8 advertisement, application, and selection process set forth in
9 Chapter 382, Part 3, *Ordinance Code*; and

10 **WHEREAS**, it is also in the City's best interest to amend Section
11 382.303 (Advertising for new service contractors), *Ordinance Code*,
12 to allow the Council President to call for applications for new
13 service contractors to be submitted earlier than six (6) months prior
14 to the expiration of the current contract term in order to give a new
15 selected contractor sufficient time to implement a new service
16 contract with the City; now therefore

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

18 **Section 1. Recitals.** The recitals above are true and
19 correct and incorporated herein by reference.

20 **Section 2. Amending Chapter 382 (Waste Collection and**
21 **Disposal Service by Contractors and City), Part 3 (Selection of Waste**
22 **Collection and Disposal Service Areas and Contractors), Section**
23 **382.303 (Advertising for new service contractors), *Ordinance Code*.**
24 Chapter 382 (Waste Collection and Disposal Service by Contractors and
25 City), Part 3 (Selection of Waste Collection and Disposal Service
26 Areas and Contractors), Section 382.303 (Advertising for new service
27 contractors), *Ordinance Code*, is hereby amended as follows:

28 **CHAPTER 382. WASTE COLLECTION AND DISPOSAL SERVICE BY**
29 **CONTRACTORS AND CITY**

30 * * *

31 **PART 3. SELECTION OF WASTE COLLECTION AND DISPOSAL SERVICE AREAS**

1 **AND CONTRACTORS**

2 * * *

3 **Sec. 382.303. - Advertising for new service contractors.**

4 Whenever it shall be necessary to select a contractor for a contract
5 not extended pursuant to the provisions of section 382.308(1), or
6 for a new service area, or for an area in which service is not being
7 provided because of termination of the contract or for other reasons,
8 the Council President shall call for the submission of applications
9 ~~during~~ no later than the month of ~~April~~ January of the ~~sixth~~ last
10 year of the term of the current contracts, or within thirty days of
11 the notice of termination of a current contract or within thirty
12 days of the date upon which the Council determines that service is
13 no longer being provided for any reason in a current service area
14 by the current contractor. Application to provide the service may
15 be submitted by an interested person who is not currently serving
16 more than one service area, including contractors who fail to apply
17 for extension of contracts or who are ineligible for extension of a
18 contract because they have not held a contract for three years or
19 who have been denied extension of a contract. The Council President
20 shall direct the Chief of Procurement to publish one time in a daily
21 newspaper of general circulation in the city at least fifteen days
22 before the closing date for filing applications a notice that the
23 Council will receive sworn applications for a contract for each
24 available service area. The notice shall include the following:

25 * * *

26 **Section 3. Authorization.** Council hereby authorizes the
27 procurement of Services for Service Area II, more particularly
28 described on **Exhibit 1** attached hereto, through the issuance of a
29 request for proposal solicitation pursuant to Chapter 126
30 (Procurement Code), Part 2 (Supplies, Contractual Services, and
31 Capital Improvements), *Ordinance Code*, in lieu of the advertisement,

1 application and selection process set forth in Chapter 382 (Waste
2 Collection and Disposal Service by Contractors and City), Part 3
3 (Selection of Waste Collection and Disposal Service Areas and
4 Contractors), Sections 382.303 through 382.308, *Ordinance Code*.

5 **Section 4. Waiving provisions of Sections 382.303**
6 **(Advertising for New Service Contractor), 382.304 (Filing of**
7 **Applications), 382.305 (Content of Application), 382.306 (Public**
8 **Hearing on Award of New Contract), 382.307 (Award of New Contract),**
9 **382.308 (Contract Provisions; Exemption from Purchasing Code;**
10 **Extension of Contracts, Ordinance Code.** The provisions of Sections
11 382.303 (Advertising for New Service Contractor), 382.304 (Filing of
12 Applications), 382.305 (Content of Application), 382.306 (Public
13 Hearing on Award of New Contract), 382.307 (Award of New Contract),
14 382.308 (Contract Provisions; Exemption from Purchasing Code;
15 Extension of Contracts), *Ordinance Code*, which sets forth the
16 advertisement, application, and selection process for contractors to
17 provide services to the City for the collection and transportation
18 of residential solid waste and recyclables, are hereby waived. The
19 waiver is necessary in order to advertise for Services and commence
20 a contract outside of the time frames listed in Section 382 and in
21 order to be able to consider rates of compensation as a determining
22 factor in the award of an application.

23 **Section 5. Codification Instructions.** The Codifier and the
24 Office of General Counsel are authorized to make changes to the
25 *Ordinance Code* consistent with the intent of this legislation.

26 **Section 6. Effective Date.** This ordinance shall become
27 effective upon signature by the Mayor or upon becoming effective
28 without the Mayor's signature.

29
30 Form Approved:
31

1 /s/ Lawsikia J. Hodges

2 Office of General Counsel

3 Legislation Prepared By: Lawsikia J. Hodges

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