

Introduced by the Council President at the request of the Mayor and amended by the Neighborhoods, Community Services, Public Health and Safety Committee:

ORDINANCE 2025-601-E

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, 2032, 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.

1 **WHEREAS,** the City of Jacksonville ("City") and Waste Pro of
2 Florida, Inc. ("Contractor") entered into the Amended and Restated
3 Agreement for Residential Waste and Recycling Collection and
4 Transportation Services dated March 1, 2013, as amended by the First
5 Amendment dated July 1, 2014, as further amended by the Second
6 Amendment dated August 1, 2017, as further amended by the Third
7 Amendment dated July 29, 2020, as further amended by the Fourth
8 Amendment effective October 1, 2022, and as further amended by the
9 Fifth Amendment effective June 7, 2023 (collectively, the
10 "Agreement"); and

11 **WHEREAS,** the Contractor has requested, and the City has agreed,
12 subject to City Council approval, to amend the Agreement to extend
13 the Agreement term through September 30, 2032, replace the rate review
14 process with annual CPI adjustments and establish a process for
15 extraordinary rate adjustment, reflect the Contractor's agreement to
16 provide a Community Partnership Investment valued at \$75,000 to
17 benefit City economic development, health and human services, and/or
18 environmental and beautification initiatives, set fuel caps for
19 fiscal year 2025-2026, fiscal year 2026-2027 and fiscal year 2027-
20 2028, amend the process for conducting residential premises counts,
21 and amend certain other provisions, including collection services,
22 vehicle identification requirements, increase liquidated damages
23 amounts, dispute resolution and reporting requirements; now therefore

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

25 **Section 1. Approval and Authorization to Execute Sixth**
26 **Amendment to Agreement.** The Mayor, or her designee, and the
27 Corporation Secretary are hereby authorized to execute that certain
28 Sixth Amendment to Amended and Restated Agreement for Residential
29 Waste and Recycling Collection and Transportation Services (Service
30 Area III) between the City and Contractor (the "Sixth Amendment") in
31 substantially the same form attached hereto as **Revised Exhibit 1,**

1 labeled as "Revised Exhibit 1, Rev 6th Amd to Agmt, October 6, 2025
2 - NCSPHS" and incorporated herein by this reference.

3 **Section 2. Waiver of Section 382.308(1) (Extension of**
4 **contract), Ordinance Code.** The provisions of Section 382.308(1)
5 (Extension of contract), *Ordinance Code*, are waived. The waiver is
6 necessary to effectuate the Sixth Amendment.

7 **Section 3. Oversight.** The Solid Waste Division of the
8 Office of Administrative Services shall oversee the Agreement
9 described herein.

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

13
14 Form Approved:

15
16 /s/ Mary E. Staffopoulos

17 Office of General Counsel

18 Legislation Prepared By: Joelle J. Dillard

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