

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

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4 **ORDINANCE 2022-371-E**

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

1 (SUPPLIES, CONTRACTUAL SERVICES AND CAPITAL
2 IMPROVEMENTS), *ORDINANCE CODE*; PROVIDING AN
3 EFFECTIVE DATE.
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5 **WHEREAS**, Chapter 382 (Waste Collection and Disposal Service by
6 Contractors and City), Part 3 (Selection of Waste Collection and
7 Disposal Service Areas and Contractors), Sections 382.303 through
8 382.308, *Ordinance Code*, sets forth the advertisement, application
9 and selection process for contractors to provide services to the City
10 for the collection and transportation of residential solid waste and
11 recyclables ("Services") in the geographic service areas defined in
12 Section 382.301, *Ordinance Code*, as amended ("Service Area(s)"); and

13 **WHEREAS**, historically, the existing City contracts with
14 residential waste haulers for Services have been amended and extended
15 in lieu of utilizing the advertisement, application and selection
16 process outlined in Sections 382.303 through 382.308, *Ordinance Code*;
17 and

18 **WHEREAS**, pursuant to City of Jacksonville Ordinance 2022-34-E,
19 the City and Waste Management Inc. of Florida ("Waste Management")
20 executed an Assignment and Assumption Agreement effective as of
21 December 31, 2021, where Waste Management assumed the residential
22 waste and recycling collection obligations for Service Area I set
23 forth in the Amended and Restated Agreement for Residential Waste and
24 Recycling Collection and Transportation Services dated October 23,
25 2015, as amended, between the City and Advanced Disposal Services
26 Jacksonville, LLC (the "Agreement");

27 **WHEREAS**, the Agreement will expire on February 28, 2023, unless
28 the City opts to extend the Agreement by seven additional months
29 until September 30, 2023; and

30 **WHEREAS**, it is the objective of the City to provide the residents
31 of Service Area I with the best Services at the most competitive

1 cost; and

2 **WHEREAS**, in order to achieve this objective, the City's Public
3 Works Department, Solid Waste Division, desires to procure the
4 Services for Service Area I in accordance with Chapter 126, Part 2
5 (Supplies, Contractual Services, and Capital Improvements), *Ordinance*
6 *Code*, by selecting a contractor pursuant to a request for proposal
7 solicitation under Chapter 126, Part 2, rather than the advertisement,
8 application, and selection process set forth in Chapter 382, Part 3,
9 *Ordinance Code*; now therefore

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

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

13 **Section 2. Authorization.** Council hereby authorizes the
14 procurement of Services for Service Area I, which covers the
15 west/southwestern portions of the City and is more particularly
16 described on **Exhibit 1** attached hereto, through the issuance of a
17 request for proposal solicitation pursuant to Chapter 126
18 (Procurement Code), Part 2 (Supplies, Contractual Services, and
19 Capital Improvements), *Ordinance Code*, in lieu of the advertisement,
20 application and selection process set forth in Chapter 382 (Waste
21 Collection and Disposal Service by Contractors and City), Part 3
22 (Selection of Waste Collection and Disposal Service Areas and
23 Contractors), Sections 382.303 through 382.308, *Ordinance Code*.

24 **Section 3. Waiving provisions of Sections 382.303**
25 **(Advertising for new service contractors), 382.304 (Filing of**
26 **applications), 382.305 (Content of application), 382.306 (Public**
27 **hearing on award of new contract), 382.307 (Award of new contract),**
28 **382.308 (Contract provisions; exemption from Purchasing Code;**
29 **extension of contracts), *Ordinance Code*.** The provisions of Sections
30 382.303 (Advertising for new service contractors), 382.304 (Filing
31 of applications), 382.305 (Content of application), 382.306 (Public

1 hearing on award of new contract), 382.307 (Award of new contract),
2 382.308 (Contract provisions; exemption from Purchasing Code;
3 extension of contracts), *Ordinance Code*, which sets forth the
4 advertisement, application, and selection process for contractors to
5 provide services to the City for the collection and transportation
6 of residential solid waste and recyclables, are hereby waived. The
7 waiver is necessary in order to advertise for Services and commence
8 a contract outside of the time frames listed in Chapter 382 and in
9 order to be able to consider rates of compensation as a determining
10 factor in the award of an application.

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

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15 Form Approved:

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17 /s/ Paige H. Johnston

18 Office of General Counsel

19 Legislation Prepared By: Lawsikia J. Hodges

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