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

1

2

3

4

ORDINANCE 2021-55-E

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

EXEMPTION FROM PURCHASING CODE; EXTENSION OF CONTRACTS), ORDINANCE CODE, TO ALLOW FOR THE ISSUANCE OF Α REQUEST FOR PROPOSAL SOLICITATION TO PROCURE SERVICES FOR THE COLLECTION AND TRANSPORTATION OF RESIDENTIAL SOLID WASTE AND RECYCLABLES IN ACCORDANCE WITH CHAPTER 126 (PROCUREMENT 2 CODE), PART (SUPPLIES, CONTRACTUAL SERVICES AND CAPITAL IMPROVEMENTS), ORDINANCE CODE; PROVIDING FOR CODIFICATION INSTRUCTIONS; PROVIDING AN EFFECTIVE DATE.

1

2

3

4

5

6

7

8

9

10

11

12

WHEREAS, Chapter 382 (Waste Collection and Disposal Service by 13 14 Contractors and City), Part 3 (Selection of Waste Collection and 15 Disposal Service Areas and Contractors), Sections 382.303 through 382.308, Ordinance Code, sets forth the advertisement, application 16 17 and selection process for contractors to provide services to the 18 City for the collection and transportation of residential solid 19 waste and recyclables ("Services") in the geographic service areas defined in Section 382.301, Ordinance Code, as amended ("Service 20 21 Area(s)"); and

22 WHEREAS, historically, the existing three (3) City contracts 23 with residential waste haulers for Services have been amended and 24 extended in lieu of utilizing the advertisement, application and 25 selection process outlined in Sections 382.303 through 382.308, 26 Ordinance Code; and

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

30 WHEREAS, the City's amended and restated residential waste 31 hauler contract for Service Area II will expire on September 30,

2021; and

1

19

31

2 WHEREAS, it is the objective of the City to provide the 3 residents of Service Area II with the best Services at the most 4 competitive cost; and

WHEREAS, in order to achieve this objective, the City needs 5 the option of pursuing procurement of Services pursuant to Chapter 6 7 126, 2 (Supplies, Contractual Services, Part and Capital 8 Improvements), Ordinance Code, by selecting a contractor pursuant 9 to a request for proposal solicitation under Chapter 126, Part 2, 10 rather than the advertisement, application, and selection process 11 set forth in Chapter 382, Part 3, Ordinance Code; and

WHEREAS, it is also in the City's best interest to amend 12 382.303 (Advertising for 13 Section new service contractors), 14 Ordinance Code, to allow the Council President to call for applications for new service contractors to be submitted earlier 15 than six (6) months prior to the expiration of the current contract 16 17 term in order to give a new selected contractor sufficient time to 18 implement a new service contract with the City; now therefore

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

20 Section 1. Recitals. The recitals above are true and
21 correct and incorporated herein by reference.

22 Amending Chapter 382 (Waste Collection Section 2. and 23 Disposal Service by Contractors and City), Part 3 (Selection of 24 Waste Collection and Disposal Service Areas and Contractors), 25 382.303 Section (Advertising for new service contractors), 26 Ordinance Code. Chapter 382 (Waste Collection and Disposal Service by Contractors and City), Part 3 (Selection of Waste Collection and 27 2.8 Service Areas Contractors), Section 382.303 Disposal and 29 (Advertising for new service contractors), Ordinance Code, is 30 hereby amended as follows:

CHAPTER 382. WASTE COLLECTION AND DISPOSAL SERVICE BY

1	CONTRACTORS AND CITY
2	* * *
3	PART 3. SELECTION OF WASTE COLLECTION AND DISPOSAL SERVICE AREAS
4	AND CONTRACTORS
5	* * *
6	Sec. 382.303 Advertising for new service contractors.
7	Whenever it shall be necessary to select a contractor for a
8	contract not extended pursuant to the provisions of section
9	382.308(1), or for a new service area, or for an area in which
10	service is not being provided because of termination of the
11	contract or for other reasons, the Council President shall call
12	for the submission of applications during <u>no later than</u> the month
13	of April <u>January</u> of the sixth <u>last</u> year of the term of the current
14	contracts, or within thirty days of the notice of termination of a
15	current contract or within thirty days of the date upon which the
16	Council determines that service is no longer being provided for
17	any reason in a current service area by the current contractor.
18	Application to provide the service may be submitted by an
19	interested person who is not currently serving more than one
20	service area, including contractors who fail to apply for
21	extension of contracts or who are ineligible for extension of a
22	contract because they have not held a contract for three years or
23	who have been denied extension of a contract. The Council
24	President shall direct the Chief of Procurement to publish one
25	time in a daily newspaper of general circulation in the city at
26	least fifteen days before the closing date for filing applications
27	a notice that the Council will receive sworn applications for a
28	contract for each available service area. The notice shall include
29	the following:
30	* * *
31	Section 3. Authorization. Council hereby authorizes the

1 procurement of Services for Service Area II, more particularly 2 described on **Exhibit 1** attached hereto, through the issuance of a 3 request for proposal solicitation pursuant to Chapter 126 (Procurement Code), Part 2 (Supplies, Contractual Services, 4 and 5 Improvements), Ordinance Code, in lieu Capital of the advertisement, application and selection process set forth in 6 7 Chapter 382 (Waste Collection and Disposal Service by Contractors and City), Part 3 (Selection of Waste Collection and Disposal 8 9 Service Areas and Contractors), Sections 382.303 through 382.308, 10 Ordinance Code.

11 Section 4. Waiving provisions of Sections 382.303 12 (Advertising for New Service Contractor), 382.304 (Filing of Applications), 382.305 (Content of Application), 382.306 (Public 13 14 Hearing on Award of New Contract), 382.307 (Award of New Contract), 15 382.308 (Contract Provisions; Exemption from Purchasing Code; Extension of Contracts, Ordinance Code. The provisions of Sections 16 17 382.303 (Advertising for New Service Contractor), 382.304 (Filing of Applications), 382.305 (Content of Application), 382.306 (Public 18 19 Hearing on Award of New Contract), 382.307 (Award of New Contract), 20 382.308 (Contract Provisions; Exemption from Purchasing Code; 21 Extension of Contracts), Ordinance Code, which sets forth the 22 advertisement, application, and selection process for contractors 23 provide services to the the City for collection and to transportation of residential solid waste and recyclables, 24 are 25 hereby waived. The waiver is necessary in order to advertise for 26 Services and commence a contract outside of the time frames listed 27 in Section 382 and in order to be able to consider rates of 28 compensation а determining factor in the of as award an 29 application.

30 Section 5. Codification Instructions. The Codifier and 31 the Office of General Counsel are authorized to make changes to the

1 Ordinance Code consistent with the intent of this legislation.

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

6 Form Approved:

7

5

8 /s/ Lawsikia J. Hodges

9 Office of General Counsel

10 Legislation Prepared By: Lawsikia J. Hodges

11 GC-#1406922-v5-Chapter_382_Waiver_(Residential_Waste_Hauler_Service_Area_II)_.docx