

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

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3
4 **ORDINANCE 2021-55-E**

5 AN ORDINANCE AMENDING CHAPTER 382 (WASTE
6 COLLECTION AND DISPOSAL SERVICE BY CONTRACTORS
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
12 DATE FOR NEW SERVICE CONTRACTORS; AUTHORIZING
13 THE ISSUANCE OF REQUESTS FOR PROPOSALS IN
14 ACCORDANCE WITH CHAPTER 126 (PROCUREMENT
15 CODE), PART 2 (SUPPLIES, CONTRACTUAL SERVICES
16 AND CAPITAL IMPROVEMENTS), *ORDINANCE CODE*, TO
17 PROCURE SERVICES FOR THE COLLECTION AND
18 TRANSPORTATION OF RESIDENTIAL SOLID WASTE AND
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
25 382.303 THROUGH 382.308, *ORDINANCE CODE*;
26 WAIVING SECTIONS 382.303 (ADVERTISING FOR NEW
27 SERVICE CONTRACTORS), 382.304 (FILING OF
28 APPLICATIONS), 382.305 (CONTENT OF
29 APPLICATION), 382.306 (PUBLIC HEARING ON AWARD
30 OF NEW CONTRACT), 382.307 (AWARD OF NEW
31 CONTRACT) AND 382.308 (CONTRACT PROVISIONS;

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

12
13 **WHEREAS**, Chapter 382 (Waste Collection and Disposal Service by
14 Contractors and City), Part 3 (Selection of Waste Collection and
15 Disposal Service Areas and Contractors), Sections 382.303 through
16 382.308, *Ordinance Code*, sets forth the advertisement, application
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
20 defined in Section 382.301, *Ordinance Code*, as amended ("Service
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

27 **WHEREAS**, on or about October 1, 2007, the City entered into
28 contracts with three (3) residential haulers for Services for each
29 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,

1 2021; and

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

5 **WHEREAS**, in order to achieve this objective, the City needs
6 the option of pursuing procurement of Services pursuant to Chapter
7 126, Part 2 (Supplies, Contractual Services, 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

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

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

31 **CHAPTER 382. WASTE COLLECTION AND DISPOSAL SERVICE BY**

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
4 (Procurement Code), Part 2 (Supplies, Contractual Services, and
5 Capital Improvements), *Ordinance Code*, in lieu of the
6 advertisement, application and selection process set forth in
7 Chapter 382 (Waste Collection and Disposal Service by Contractors
8 and City), Part 3 (Selection of Waste Collection and Disposal
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**
13 **Applications), 382.305 (Content of Application), 382.306 (Public**
14 **Hearing on Award of New Contract), 382.307 (Award of New Contract),**
15 **382.308 (Contract Provisions; Exemption from Purchasing Code;**
16 **Extension of Contracts, Ordinance Code.** The provisions of Sections
17 382.303 (Advertising for New Service Contractor), 382.304 (Filing
18 of Applications), 382.305 (Content of Application), 382.306 (Public
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 to provide services to the City for the collection and
24 transportation of residential solid waste and recyclables, 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 as a determining factor in the award of an
29 application.

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

