



Broward County

Legislation Details (With Text)

File #: 23-914 **Version:** 1

Status: Agenda Ready

In control: PUBLIC WORKS DEPARTMENT

On agenda: 6/6/2023 **Final action:** 6/6/2023

Title: A. MOTION TO APPROVE Sole Source designation of Coastal Waste & Recycling of Florida, Inc., to provide residential trash drop-off and bulk trash disposal services at the County-owned Residential Drop-Off Centers (“RDOCs”) in the Town of Davie.

ACTION: (T-10:54 AM) Approved.

VOTE: 9-0.

B. MOTION TO APPROVE Sole Source designation of Coastal Waste & Recycling, Inc., to provide residential trash drop-off and bulk trash disposal services at the County-owned Residential Drop-Off Centers (“RDOCs”) in the City of Pompano Beach.

ACTION: (T-10:54 AM) Approved.

VOTE: 9-0.

C. MOTION TO AUTHORIZE Director of Purchasing to negotiate, approve, and execute separate agreements with Coastal Waste and Recycling of Florida, Inc. and Coastal Waste & Recycling, Inc., to provide residential trash drop-off and bulk trash disposal services at the two County-owned Residential Drop-Off Centers (“RDOCs”) for an aggregate annual not-to-exceed amount of \$237,000, authorizing the Director of Purchasing to exercise any renewal options at the same aggregate amount, for terms to run concurrently with the duration of the applicable exclusive waste hauling agreements with the Town of Davie and the City of Pompano Beach, subject to review of the agreement for legal sufficiency by the Office of the County Attorney. (Commission Districts 2 and 5)

ACTION: (T-10:54 AM) Approved.

VOTE: 9-0.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit 1 - Sole Source Memorandum, 2. Exhibit 2 - Davie Franchise Agreement, 3. Exhibit 3 - City of Pompano Collection Agreement

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting
 Director's Name: George Tablack
 Department: Finance and Administrative Services Division: Purchasing

Information
 Requested Action
 ..title

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trash drop-off and bulk trash disposal services at the County-owned Residential Drop-Off Centers ("RDOCs") in the Town of Davie.

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Why Action is Necessary

Motions A & B. In accordance with Broward County Procurement Code Sections 21.25 (Sole Source Procurement) and 21.26 (Sole Brand Procurement), Board approval is required for awards exceeding the Director of Purchasing's authority.

Motion C. In accordance with Broward County Procurement Code Sections 21.47.a (Award and Execution Authority) and 21.53.a (Duration of Contracts), the Board shall make all awards, and authorize the execution of the associated contracts, with a value of more than \$500,000, inclusive of the value of any renewals or extensions provided in the contract, and approve all contracts with a term greater than five-years.

What Action Accomplishes

Motions A, B, and C. Designate Coastal Waste and Recycling of Florida, Inc. and Coastal Waste & Recycling, Inc., respectively, as Sole Source vendors to provide services based on its exclusive waste hauling agreements with the Town of Davie and the City of Pompano Beach to provide staffing, hauling, and disposal services of trash from the County-owned RDOCs located in these two municipalities.

Is this Action Goal Related

No

Previous Action Taken

None

Summary Explanation/Background

THE PURCHASING DIVISION AND THE PUBLIC WORKS DEPARTMENT/SOLID WASTE AND RECYCLING SERVICES DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTIONS.

Broward County owns and maintains three Residential Drop-Off Centers ("RDOCs") in the Town of Davie and in the Cities of Pompano Beach and West Park. As part of the services available at the RDOCs, residents of certain municipalities with interlocal agreements with the County ("Participating Municipalities") may deliver bulk trash (e.g., furniture, carpet, and yard waste) on a weekly basis for disposal.

On February 14, 2006 (Item No. 11), the Board approved an agreement with Waste Management of Florida, Inc. ("WMI")

to provide on-site personnel, supervised by County staff, to coordinate receipt of residential bulk trash at the RDOCs and transport the bulk trash for final disposal ("WMI Agreement"). Pursuant to the most recent amendment to the WMI Agreement, the term is scheduled to expire with no available extensions on December 31, 2023. Pursuant to Section 3.6 of the WMI Agreement (as amended), if WMI no longer has a franchise or other contractual agreement to provide solid waste hauling and other services in a municipality where an RDOC is located, the County has the ability to remove that drop-off facility with thirty days' advanced written notice to WMI.

On June 1, 2021, the Town of Davie ("Davie") commenced a new waste hauling agreement with Coastal Waste and Recycling of Florida, Inc., replacing the previous services provided by WMI, for solid waste, bulk waste, construction and demolition debris and recycling collection from locations within Davie. The contract between Davie and Coastal is effective through December 31, 2030, with the option to renew for up to three successive five-year periods (Exhibit 2).

On October 1, 2022, the City of Pompano Beach commenced a new five-year agreement for residential and commercial solid waste collection services with Coastal Waste & Recycling, Inc., replacing the previous services provided by WMI, with the option to renew for up to an additional two ten-year terms by mutual agreement between the parties (Exhibit 3).

Based on the WMI Agreement, Broward County issued a notice to WMI that the County will remove the RDOCs in the Town of Davie and the City of Pompano Beach from the WMI Agreement, effective on the commencement of a new agreement.

Coastal Waste & Recycling, Inc. is the parent company of Coastal Waste and Recycling of Florida, Inc., with both companies under the same management (both entities are collectively referred to as the "Coastal Entities").

Currently, each of the Coastal Entities are exclusively authorized to perform solid waste and trash hauling services in the Town of Davie and the City of Pompano Beach. The Purchasing Division and Solid Waste and Recycling Services Division (SWRS) are requesting approval of a Sole Source designation to negotiate separate agreements with each of the Coastal Entities to perform services at the County-owned RDOC in the respective municipality in which each has an exclusive agreement, and to authorize the Director of Purchasing to negotiate, approve, and execute the resulting agreements between the County and each of the Coastal Entities for the provision of staffing and bulk trash hauling services at the RDOCs in the Town of Davie and the City of Pompano Beach (as applicable), subject to review for legal sufficiency by the Office of the County Attorney.

As required by Broward County Procurement Code Section 21.25(b), Notice of Intent to Designate Sole Source No. OPN2126553F1 was posted on the Purchasing Division's website from April 19 - 25, 2023; one response was received from WMI, the incumbent vendor. Based on the exclusive nature of the agreements between the Coastal Entities and the municipalities, the response was reviewed by the Purchasing Division and SWRS and a recommendation is being made to designate this a Sole Source procurement and authorize negotiation, and delegate the execution and award to the Director of Purchasing (Exhibit 1).

Source of Additional Information

Robert E. Gleason, Director, Purchasing Division, (954) 357-6070
Notosha Austin, Interim Director, Solid Waste and Recycling Services (954) 474-1880
Trevor M.A. Fisher, P.E., MBA, Director, Public Works Department, (954) 357-6410

Fiscal Impact

Fiscal Impact/Cost Summary

This project will be funded through the Solid Waste Fund.

Requisition No. SWR0001592