

RESOLUTION NO. 2016-31

A RESOLUTION OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA WAIVING COMPETITIVE BIDDING AND AUTHORIZING THE MAYOR OR THE PUBLIC WORKS DIRECTOR, AS THE MAYOR'S DESIGNEE, TO NEGOTIATE A CONTRACT WITH PROGRESSIVE WASTE SOLUTIONS OF FL., INC. FOR THE COLLECTION OF RECYCLABLE MATERIALS AND DISPOSAL OF RESIDENTIAL SOLID WASTE ON THE MOST ADVANTAGEOUS TERMS AND CONDITIONS PROVIDING THE BEST VALUE TO THE CITY, SUBJECT TO THE APPROVAL OF THE CONTRACT BY THE CITY COUNCIL.

WHEREAS, since 2014, the City has engaged in three separate competitive solicitations in its efforts to maximize efficiency and reduce costs in its solid waste management program; and

WHEREAS, on September 9, 2014, the City passed Resolution No. 2014-109 awarding Progressive Waste Solutions of FL, Inc. ("Progressive") an agreement for the processing of recyclable materials as the most qualified, responsive and responsible bidder providing the most economic value to the City pursuant to a competitive procurement process; and

WHEREAS, pursuant to the agreement for the processing of recyclable materials with Progressive, the City presently delivers all recyclable materials it collects from its residential customers to Progressive's transfer facility in the City; and

WHEREAS, on August 11, 2015, the City adopted Ordinance No. 2015-37 awarding Progressive Waste Solutions of FL, Inc. an exclusive franchise for the collection of municipal solid waste as the provider with the highest ranked best overall proposal pursuant to a competitive procurement process; and

WHEREAS, pursuant to RFP No. 2014-15-9500-00-002, the City received competitive rates for disposal services from pre-qualified vendors participating in the solicitation for collection services, including Progressive; and

WHEREAS, pursuant to the terms of the exclusive franchise agreement for the collection of residential solid waste, the monthly rate for collection services depends on the location of the disposal facility from a predetermined City centroid pursuant to the terms of the solicitation documents; and

WHEREAS, not including the County, the City has identified only two other qualified, permitted and licensed vendors who can provide disposal services, to wit Progressive and Sun Bergeron; and

WHEREAS, not including the County's disposal facility, Progressive operates the closest licensed waste transfer station to the City centroid permitted to receive the City's municipal solid waste such that delivering the City's residential solid waste to Progressive's facility would have the least fiscal impact on the monthly collection rate due Progressive under the exclusive franchise agreement; and

WHEREAS, any savings from delivering the City's municipal solid waste to Sun Bergeron 22.5 miles away from the City centroid in Davie, Florida would be offset by the increase in the monthly collection rate owed Progressive; and

WHEREAS, delivering the City's municipal solid waste to the facility in Davie, Florida may disrupt collection services as it would impact the City's current collection routes and schedules; and

WHEREAS, the City finds, so long as it is cost-effective, engaging Progressive for the collection of recyclable materials would be advantageous to the City as it would reduce any administrative burden from managing multiple contractors for essentially similar services; and

WHEREAS, waiving competitive bidding and negotiating a contract with Progressive for the collection of recyclable materials and disposal services on terms and conditions providing the best value to the City is advantageous and is in the best interest of the public's health, safety and welfare.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

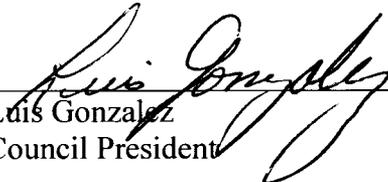
Section 1: The foregoing facts and recitations contained in the preamble to this resolution are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The City Council hereby waives competitive bidding and authorizes the Mayor or the Public Works Director, as his designee, to negotiate a contract with Progressive Waste Solutions of FL, Inc. for the collection of recyclable materials and disposal of residential solid waste on the most advantageous terms and conditions providing the best value to the City, subject to the approval of the contract by the City Council.

Section 3: Effective Date.

This resolution shall become effective when passed by the City Council of the City of Hialeah, Florida and signed by the Mayor of the City of Hialeah, Florida, or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

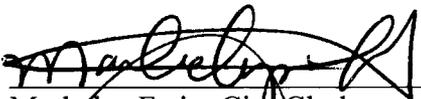
PASSED AND ADOPTED this 22 day of March, 2016.



Luis Gonzalez
Council President

Attest:

Approved on this 30 day of March, 2016.

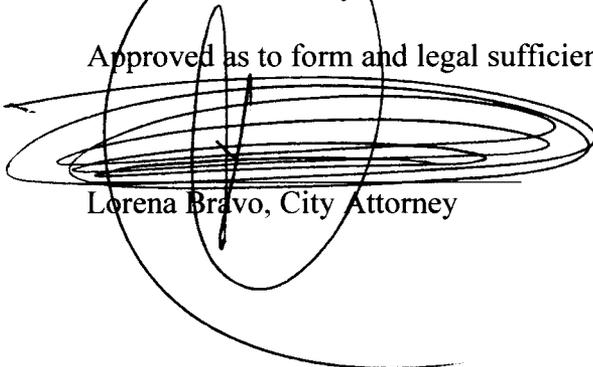


Marbelys Fatjo, City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



Lorena Bravo, City Attorney

Resolution was adopted by a (5-0-2) vote with Councilmembers, Caragol, Cue-Fuente, Hernandez, Lozano and Gonzalez voting "Yes". Councilwoman Casáls-Muñoz and Councilwoman Garcia-Martinez absent.