

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2018-42**

A RESOLUTION PROVIDING THE CITY WITH AN OPTION TO EXTEND THE SOLID WASTE FRANCHISE AGREEMENT (AGREEMENT) WITH WASTE MANAGEMENT, INC. OF FLORIDA PURSUANT TO SECTION 2-764 OF THE PROCUREMENT CODE ENTITLED "APPROVAL OF CHANGE ORDERS AND CONTRACT MODIFICATIONS," ON A MONTH-TO-MONTH BASIS, NOT TO EXCEED TWELVE (12) MONTHS TO PROVIDE TIME TO SUCCESSFULLY NEGOTIATE A RENEWAL AGREEMENT OR PERFORM THE REQUIRED SOLICITATION TO EXECUTE A NEW CONTRACT FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES; FURTHER MODIFYING THE AGREEMENT TO ALLOW FOR CANCELLATION BY EITHER PARTY WITH 90 DAYS' NOTICE AT ANY TIME DURING THE EXTENSION PERIOD.

**WHEREAS**, on December 14, 2010 the City approved a Solid Waste Franchise Agreement; and

**WHEREAS**, the purpose of the agreement is to provide for the collection and solid waste and recyclable materials from multi-family residences and commercial businesses in the City, and

**WHEREAS**, the current contract with Waste Management, Inc. of Florida expires on September 30, 2018 and requires a one hundred eighty (180) notice for all extensions; and

**WHEREAS**, in order to allow time to successfully negotiate a renewal agreement or perform the required solicitation to execute a new contract; and

**WHEREAS**, modification to the current terms are necessary to allow for cancellation by either party with 90 days' notice at any time during the extension period; and

**WHEREAS**, the contract with Waste Management, Inc. of Florida may be extended under Section 2-764 of the Procurement Code entitled "Approval of Change Orders and Contract Modifications";

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF CORAL GABLES:**

**SECTION 1.** The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

**SECTION 2.** That the City Commission accepts the recommendation to provide an optional extension to the Solid Waste Franchise Agreement with Waste Management, Inc. of Florida, pursuant to Section 2-764 of the Procurement Code entitled "Approval of Change Orders and Contract Modifications, on a month-to-month basis, not to exceed twelve (12) months and modify the terms to allow for cancellation by either party with 90 days' notice at any time during the extension period. The City Manager is authorized to execute the agreement for an optional extension, in substantially the form attached, with such modifications as approved by the City Manager and the City Attorney.

**SECTION 3.** That this Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS THIRTEENTH DAY OF FEBRUARY, A.D., 2018.

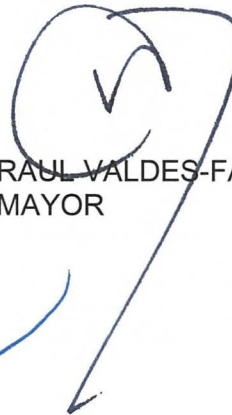
(Moved: Quesada / Seconded: Mena)

(Yeas: Mena, Quesada, Keon, Lago, Valdes-Fauli)

(Unanimous: 5-0 Vote)

(Agenda Item: D-11)

APPROVED:

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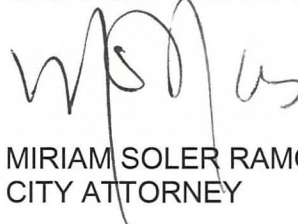
RAUL VALDES-FAULI  
MAYOR

ATTEST:

A handwritten signature in blue ink, appearing to read 'Walter J. Foeman'.

WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

A handwritten signature in black ink, appearing to read 'Miriam Soler Ramos'.

MIRIAM SOLER RAMOS  
CITY ATTORNEY