

**SPECIAL MEETING
FEBRUARY 4, 2015**

A Special Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Cary Glickstein in the Commission Chambers at City Hall at 9:00 a.m. on Wednesday, February 4, 2015.

Roll call showed:

Present - Vice Mayor Shelly Petrolia
Commissioner Adam Frankel
Deputy Vice Mayor Jordana Jarjura
Mayor Cary Glickstein

Absent - None

Also present were - Donald B. Cooper, City Manager
Noel Pfeffer, City Attorney
Chevelle D. Nubin, City Clerk

Mayor Glickstein called the Special meeting to order and announced that it had been called for the purpose of considering the following items:

SPECIAL MEETING AGENDA

1. Introductory remarks by Staff, Commission Discussion and Questions

Noel Pfeffer, City Attorney, explained that the purpose of this meeting is to conduct its own evaluation and ranking of the vendor proposals in connection with RFP 2014-038 Solid Waste Collection and Recyclable Materials. The City Attorney stated the City Commission made its decision to conduct its own evaluation and ranking at the Special Meeting held on January 27, 2015. The City Attorney stated this morning five (5) vendors are scheduled to make oral presentations to the City Commission previously agreed upon ground rules announced at last week's meeting are presentations in alphabetical order and each presentation shall not exceed 15 minutes. The presentations will be followed by questions by the City Commission answers by the proposers and will continue until all Commission questions have been answered. The RFP further provides that the City Commission determinations regarding the vendors shall be made in light of the six (6) criteria contained in Section 1.11 of the RFP, and that the City accept best overall proposal based on these listed criteria. After the presentations are made, the City Attorney stated there is further opportunity on the agenda for the Commission to ask questions among staff and to be clear on how they are to proceed with ranking.

2. Collection Of Solid Waste and Recyclable Materials RFP No. 2014-38

Proposers Presentation Schedule: The starting times for each presentation may be adjusted depending on the duration of each presentation. Proposers should be prepared to begin their presentation at the conclusion of the preceding Proposer's presentation.

A. Advanced Disposal Services Solid Waste Southeast, Inc.

Mary O'Brien, Chief Marketing Officer for Advanced Disposal Services Solid Waste Southeast, Inc., gave a brief presentation and urged the City Commission to select Advanced Disposal Services Solid Waste Southeast, Inc. to be the City's service provider for its commercial and residential citizens.

J.R. Romero, General Manager for the West Palm Beach Operations/Solid Waste Southeast, Inc., briefly spoke about the challenges of transition and commented about customer care, service and safety.

Brief discussion between the City Commission and Mr. Romero ensued.

B. Republic Services of Palm Beach

Joanne Stanley, Municipal Service Manager for Republic Services of Palm Beach, gave a brief presentation and urged the Commission to select Republic Services of Palm Beach for the City's service provider for its commercial and residential citizens.

Brief discussion between the Commission, Ms. Stanley, and the City Manager ensued.

C. Southern Waste Systems (SWS)

John Casagrande, Vice President of Southern Waste Systems, gave a brief presentation and urged the City Commission to select Southern Waste Systems (SWS) for the City's service provider for its commercial and residential citizens.

Brief discussion between the City Commission, Mr. Casagrande, and the City Manager ensued.

D. Waste Management of Florida, Inc.

Ellen Smith, Government Affairs Manager for Waste Management of Florida, Inc., gave a brief presentation and urged the City Commission to select Waste Management of Florida, Inc. for the City's service provider for its commercial and residential citizens.

Brief discussion between the City Commission and Ms. Smith ensued.

E. Waste Pro of Florida, Inc.

Russell Mackie, Regional Vice President of Waste Pro of Florida, Inc., gave a brief presentation and urged the City Commission to select Waste Pro of Florida, Inc. for the City's service provider for its commercial and residential citizens.

Brief discussion between the City Commission and Mr. Mackie ensued.

3. **Discussion and ranking of Proposers presentations**

Brief discussion between Mayor Glickstein and Mr. Casagrande followed.

Brief discussion between Ms. Jarjura and Mr. Casagrande followed.

Joanne Stanley, Republic Services of Palm Beach, came forward and gave a few brief comments.

J.R. Romero, Solid Waste Southeast, Inc., came forward and gave a few brief comments.

David Dee, Outside Counsel assisting the City of Delray Beach with this project, stated the RFP has an agreement attached to it and in the agreement it explicitly states that yard trash cannot be mixed with bulky waste or with other types of waste. Mr. Dee stated if Southern Waste Systems (SWS) is planning to mix yard trash with other materials that is a potential problem; if SWS is planning to bring trucks from other communities to make up the shortfall with the number of trucks they have for commercial collection that is also a potential problem. However, Mr. Dee stated the City has the discretion to grant SWS relief and to allow them to bring in trucks from other areas.

Vice Mayor Petrolia inquired if SWS will be mixing trash and bringing trucks in from other communities. Mr. Casagrande clarified that he understands he cannot mix the garbage and that they can pick up bulk such as a chair or patio furniture but the vegetation is totally separate.

The City Manager made a few brief comments and stated SWS would have to resolve some of their issues by adding more equipment. The City Manager stated if there is heavier garbage then you would have to make more trips back and forth to the transfer station and the truck only has a certain amount of gross vehicle weight that it can handle on the road.

Brief discussion followed between the City Manager and the City Commission.

The City Attorney stated the cost of the proposer's services is essentially the price the City would pay for the service. For clarification, the City Attorney stated the total amounts in the financial spreadsheet are very useful numbers and emphasized that the price sheets have at least twenty different categories. Therefore, the City Attorney stated when the City Commission assesses the cost of the services it is not just looking at the lowest cost, but the Commission also has to look at all the bid prices and that is part of their evaluation of the cost of the proposer.

Commissioner Frankel made a few brief comments.

Further discussion between the City Attorney and the City Commission regarding the Franchise Agreement followed.

Brief discussion between Mr. Dee and the City Commission followed.

The City Attorney stated this was not a bid; it was an RFP. The City Commission solicited proposals from vendors to meet the City's performance standards; the evaluation system for the Selection Committee was not a *point system*; it was a *ranking*. The City Attorney recommended that the Commission evaluate these proposals in the same manner as the Selection Committee. The City Attorney explained the intent of the RFP and the instructions that were given to the Selection Committee. The City Attorney stated once the City Commission has concluded that process then the City Commission is asked to rank the vendors (#1 being the best and #5 being the least favorite). Those are then tallied, added and the City Commission determines who the highest ranked bidder is. The City Attorney stated that was the instruction and methodology used by the Selection Committee and suggested that the City Commission utilize that same process.

4. **Commission Comments**

The City Commission made a few brief comments.

At this point, Vice Mayor Petrolia left the meeting.

5. **Motion to approve the ranking and direct staff to negotiate a Franchise Agreement with the highest ranked Proposer**

The City Clerk announced the results of the tally and stated the final ranking is as follows:

Advanced Disposal Services Solid Waste Southeast, Inc. – 13
Republic Services of Palm Beach – 17
Southern Waste Systems – 5
Waste Management of Florida, Inc. – 7
Waste Pro of Florida, Inc. - 18

Deputy Vice Mayor Jarjura moved to approve the ranking, seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mr. Frankel – Yes; Deputy Vice Mayor Jarjura – Yes; Mayor Glickstein – Yes. Said motion passed with a 3 to 0 vote.

Deputy Vice Mayor Jarjura moved to direct staff to start contract negotiations with Southern Waste Systems (SWS), seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Ms. Jarjura – Yes; Mayor Glickstein – Yes; Mr. Frankel – Yes. Said motion passed with a 3 to 0 vote.

Mayor Glickstein adjourned the Special Meeting at 3:41 p.m.

City Clerk

ATTEST:

MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the Special Meeting of the City Commission held on Wednesday, February 4, 2015, which Minutes were formally approved and adopted by the City Commission on

NOTE TO READER: If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval, which may involve amendments, additions or deletions to the Minutes as set forth above.