

**Indian River County, Florida
Solid Waste Disposal District
Board Memorandum**

Date: November 13, 2019

To: Jason E. Brown, County Administrator

From: Vincent Burke, PE, Director of Utility Services

Prepared By: Himanshu H. Mehta, PE, Managing Director, Solid Waste Disposal District

Subject: Termination of Recycling Agreement with Tropical Recycling

Descriptions and Conditions:

On August 21, 2012, the Indian River County (IRC) Solid Waste Disposal District (SWDD) Board approved the Recyclables Transfer, Processing and Marketing Agreement (Agreement) to Resource Recovery Systems, LLC d/b/a ReCommunity (“ReCommunity”). This Agreement was in response to Request for Proposal (RFP) No. 2012023 for dual-stream recycling services for a five (5) year term commencing on September 1, 2012, with an optional five (5) year extension. On July 14, 2015, the SWDD Board approved the First Amendment to the Agreement, which assigned the processing services from ReCommunity to Tropical Exchange Corporation d/b/a Tropical Recycling and transitioned from dual-stream processing to single stream processing. The First Amendment to the Agreement amended the initial term from five (5) years to eight (8) years through August 31, 2020. On September 18, 2018, the SWDD Board approved the Second Amendment to the Agreement to approve the optional two (2) year extension to the Agreement through August 31, 2022.

On August 13, 2019, Tropical Recycling notified SWDD staff that their processing facility in Ft. Pierce suffered a catastrophe from unforeseen weather on August 12, 2019. Specifically, Brian Katz, President of Tropical Recycling, stated that “Our entire infrastructure is severely affected by the damage, rendering us unable to transfer and process recyclables; the duration of this could be four weeks or possibly longer. We are currently making all efforts to resume operations as quickly as possible.”

On October 14, 2019, Tropical Recycling informed SWDD staff that the City of Ft. Pierce had condemned their processing facility on October 9, 2019.

Based on this unforeseen circumstance, staff recommends that SWDD and Tropical mutually agree to terminate the Agreement prior to the current term ending on August 31, 2022.

Analysis:

At the November 12, 2019 meeting, the SWDD Board approved the Interlocal Agreement with St. Lucie County to process and market recyclables generated in Indian River County pending final approval of the County Attorney and approval of the same Interlocal Agreement by the St. Lucie County Commissioners at the upcoming November 19, 2019 meeting.

SWDD Item

This will allow SWDD to transition from Tropical Recycling to St. Lucie County without any major disruption or impact to the services to our residents. Therefore, staff supports a mutual termination agreement with Tropical Recycling and acknowledges the services that they provided to SWDD.

The termination agreement does reiterate that the title to recyclables that were loaded onto Tropical Recycling vehicles on or before August 12, 2019, still remain with Tropical Recycling.

Funding:

There is not funding required for this agenda item.

Recommendation:

Solid Waste Disposal District (SWDD) staff recommends that the Board approve and authorize the Chairman to sign the Termination of Recyclables Transfer, Processing and Marketing Services Agreement between SWDD and Tropical Recycling.

Attachment:

1. Termination of Recycling Agreement with Tropical Recycling