

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

Date: August 2, 2023

To: The Solid Waste Disposal District Board of Commissioners

Through: John A. Titkanich, Jr., County Administrator
Sean C. Lieske, Director of Utility Services

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

Subject: Agreement with Kessler Consulting for Landfill and Customer Convenience Centers
Procurement Assistance and Contract Extension Request with Republic Services

Descriptions and Conditions:

On November 16, 2010, the Solid Waste Disposal District (SWDD) Board authorized the Solid Waste Operations and Maintenance Agreement (Agreement) with Republic Services of Florida, Limited Partnership (Republic Services). The agreement covers the operation and maintenance (O&M) of the county's Class 1 landfill as well as non-Class 1 landfill services, which includes O&M of the landfill gas system. Per an extension by the SWDD Board on February 21, 2017, the agreement is valid through December 31, 2024.

Although there is sufficient time before expiration, staff is looking to be proactive in getting the competitive procurement process started and finalized to allow ample time to the future vendor for purchasing of equipment, hiring of employees, etc.

In the interest of time, staff has requested and received the attached proposal from Kessler Consulting, Inc. (KCI) for them to assist with this process.

In addition, staff reached out to Republic Services to obtain their interest in a nine-month extension to the current contract. This would extend the expiration of the contract from December 31, 2025, to September 30, 2025, effectively aligning it with our fiscal year. Republic Services has requested a 7% increase over their current rates for this nine-month extension period.

Analysis:

KCI has prepared the proposal detailing the scope of work, budget, and schedule for each of the tasks. The tasks are listed below showing the estimated fees based on a time and materials (T&M) basis.

TASK	DESCRIPTION	AMOUNT
Task 1	Procurement Strategy and Planning	\$24,760
Task 2	Solicitation Development and Sample Agreement	\$25,360
Task 3	Pre-Proposal Meeting and Addenda Preparation	\$18,120
Task 4	Submittal Review and Presentation of Results	\$23,760
Task 5	Negotiations and Contract Finalization	\$22,450
Task 6	Additional Services	\$18,430
TOTAL =		\$132,880

As mentioned above, staff reached out to Republic Services about a nine-month extension to the current agreement such that it would expire on September 30, 2025. The purpose of this was to allow additional time between the procurement process and the start of the new agreement. Furthermore, aligning this to our fiscal year budget would allow better financial planning.

Republic Services originally responded with a requested 18% increase to the Calendar 2023 rates. However, based on a recent approval by the SWDD Board of a 4% increase for Calendar 2024, staff countered with a 5% increase for the nine-month extension period. Republic Services countered with a 7% increase to the Calendar 2024 approved rates.

If the SWDD Board directs staff to return with a contract extension to Republic Services with the 7% increase, then there would be sufficient opportunity to factor this rate increase into the Fiscal Year 2024/2025 budget process.

Funding:

Funding for \$132,880 for this project is budgeted and available in the SWDD/Landfill/Other Professional Services account, number 41121734-033190. This is funded from SWDD assessments and user fees.

Description	Account Number	Amount
SWDD/Landfill/ Other Professional Services	41121734-033190	\$132,880

Recommendation:

Solid Waste Disposal District staff recommends that the Board waive the requirement for bids, approve the sample agreement, and authorize the Chairman to sign it after review and approval by the County Attorney as to form and legal sufficiency.

Staff is also seeking input from the Board on the granting of a nine-month extension to Republic Services at a 7% increase in current rate.

Attachments:

1. Landfill and Customer Convenience Centers proposal from Kessler Consulting, Inc.
2. Draft Agreement