

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

Date: February 21, 2024

To: Solid Waste Disposal District Board of Commissioners

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

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Subject: Request for a Special Call Meeting for the the Solid Waste and Recyclables Collection Services (RFP #2024020)

Descriptions and Conditions:

On July 11, 2023, the Solid Waste Disposal District (SWDD) Board approved staff’s recommendation associated with the drafting and issuance of the Request for Proposals (RFP) documents for procuring the new franchise agreement for solid waste collection in unincorporated Indian River County (IRC), as well as recycling services throughout IRC. On August 29, 2023, SWDD and the Town of Indian River Shores (IRS) entered an Interlocal Agreement (IA) whereby IRS would directly participate in the RFP process.

On October 10, 2023, the SWDD Board approved staff recommendation to update the scoring system to be utilized by the selection committee members wherein the scoring for the Financial Proposal was reduced from 65 points to 45 points and the Qualifications/References and the Technical Proposal sections were increased from 15 points to 25 points, respectively.

The following table summarizes the four residential service options that were included in the RFP:

RFP Bid Options	Garbage	Yard Trash	Bulk Trash	Recycling
Option #1 Current System (Subscription Service)	Once a Week Carted / Automated (96-gal cart)	Once a Week Customer Provided Containers	One a Week (limited to 4 pieces of Bulk Waste)	Once a Week Single Stream (64-gal cart)
Option #2 (Universal Service)	Once a Week Carted / Automated (96-gal cart)	Once a Week Customer Provided Containers	One a Week (limited to 4 pieces of Bulk Waste)	Once a Week Single Stream (64-gal cart)
Option #3 (Subscription Service)	Once a Week Carted / Automated (96-gal cart)	Once a Week Carted/Automated (96-gal cart)	One a Week (limited to 4 pieces of Bulk Waste)	Once a Week Single Stream (64-gal cart)
Option #4 (Universal Service)	Once a Week Carted / Automated (96-gal cart)	Once a Week Carted/Automated (96-gal cart)	One a Week (limited to 4 pieces of Bulk Waste)	Once a Week Single Stream (64-gal cart)

On Friday, November 17, 2023, RFP #2024020 was issued and a non-mandatory pre-proposal meeting was held on Friday, December 8, 2023. A total of 10 addendums consisting of responses to 177 questions were issued. There were 19 planholders and it was broadcast to 634 entities. The IRC Purchasing Division received five (5) proposals prior to the deadline of Wednesday, February 21, 2024, at 2:00 PM.

RFP IRREGULARITY:

There was a delay in the receipt of electronic files for one proposal (the cover of the RFP stated electronic files must be received prior to the due date and time, but the submittal instructions simply said the files were to be submitted). The two files to be submitted electronically included a standard Excel pricing form, and a full pdf of the submittal. Electronic files were requested so they may be provided to SWDD's consultant, Kessler Consulting, Inc. (KCI), to assist in their technical review of the proposals.

The submitted email containing the electronic files for one proposal was not delivered prior to the deadline, apparently due to the County's email system blocking the email, possibly due to the file size of the attachment, but without making notification to either the sender or recipient of the rejection.

Purchasing has obtained sufficient evidence that the documents were appropriately submitted to the correct email address well before the deadline. Additionally, the proposer had no expectation that the email would fail, as the proposer had successfully sent numerous emails with attachments to the purchasing@indianriver.gov email address in the recent past.

Therefore, Staff recommends the Board waive this bid irregularity, as authorized in Section 105.06, Indian River County Code, and concur with Purchasing's determination that the proposal should be reviewed and scored by the committee.

Analysis:

Per Florida Statute (FS) 119.071, the only information that is public record for an RFP is the names of who submitted until 30 days after the opening of proposals, which will be March 22, 2024.

The Selection Committee, as approved by the County Administrator, is scheduled for an initial ranking meeting on March 8, 2024, which is a public meeting, and we expect that proposers may attend.

Staff is recommending that SWDD Board approve to withhold the identities of firms during initial ranking.

The benefits of this process include:

1. Enables the SWDD Board to focus only on the options and costs, and avoids any potential accusation of bias towards or against proposers.
2. Keeps the focus on the procurement process, and minimizes the impact of lobbying for or against specific firms in the public hearing.

In order to preserve the integrity of this process, staff is recommending that a Special Call Meeting be held on Wednesday, March 20, 2024, at 1:00 pm in the County Commission Chambers, which is within the 30 days after the opening of the proposals.

In order to have an active participation of our community, staff is preparing to issue over 87,000 post cards to our residents the week of March 11, 2024 so that they are aware of the meeting where the Commissioners will preliminarily select one of the four available options of providing ongoing garbage, yard waste, and bulk services within the unincorporated areas of Indian River County as well as IRS and to provide recycling services for all residents of Indian River County. The funding for this effort is included and approved in SWDD's current fiscal year 2023/2024 budget.

Funding:

This agenda provides a framework for an award of a solicitation and does not request any funding.

Recommendation:

Solid Waste Disposal District (SWDD) staff recommends its Board approve the following:

1. Approve staff's approach to withhold the identities of the firms when presenting the summary of the Request for Proposal (RFP) Number 2024020 results and the selection committee recommendations at a future SWDD Board meeting; and
2. Waive the irregularity with receipt of an electronic file from one of the proposers as this was due to an error in the County's email system; and
3. Approve Staff's request for a Special Call Meeting as follows:

Staff is requesting that the Solid Waste Disposal District (SWDD) Board approve a Special Call Meeting to be held on Wednesday, March 20, 2024, at 1:00 pm in the County Commission Chambers at the Indian River County, Administration Building A at 1801 27th Street. The purpose of the meeting is to provide the following:

- To provide a summary of the RFP Number 2024024 selection committee results;
- To obtain input and recommendations from the selection committee;
- To obtain public input related to the four options; and
- To obtain the SWDD Board's decision related to which of the four options for the Solid Waste and Recyclables Collection Services Franchise that is to start on October 1, 2025 they wish to pursue.

Please note that the award of the franchisee will be completed during a future SWDD Board meeting.