

RESOLUTION NO. 25-361

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA APPROVING THE SECOND AND FINAL FOUR-YEAR EXTENSION OF THE ORIGINAL CONTRACT BETWEEN THE CITY OF KEY WEST AND WASTE MANAGEMENT OF FLORIDA, INC. (WMI) TO PROVIDE SOLID WASTE COLLECTION AND PROCESSING SERVICES AND OPERATION OF THE TRANSFER STATION; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY NECESSARY RELATED DOCUMENTS, AND BUDGET TRANSFERS/ADJUSTMENTS, UPON CONSENT OF THE CITY ATTORNEY; DIRECTING THE CITY MANAGER OR DESIGNEE TO PURSUE NEGOTIATIONS WITH WMI FOR AMENDED TERMS TO THE AGREEMENT FOR CONSIDERATION AND APPROVAL OF THE CITY COMMISSION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City advertised an Invitation to Bid (ITB #14-009) for solid waste and recycling services in 2014 with contract services to begin on January 1, 2015; and

WHEREAS, on May 6, 2014 the City Commission approved Resolution No. 14-134 awarding ITB#14-009 to Waste Management Inc. of Florida (WMI) and directed the City Manager to negotiate the terms and enter into an agreement in conformance with ITB #14-009; and

WHEREAS, on June 25, 2014, a seven (7) year contract was entered into for the collection, transfer and disposal of solid waste and recyclable materials and transfer station operation to be effective January 1, 2015 and expiring December 31, 2021; and

WHEREAS, on September 4, 2014, via Resolution No. 14-254, the City Commission approved a First Amendment to Contract; on February 3, 2016, via Resolution No. 16- 048, the City Commission approved a Second Amendment to Contract; and on November 16, 2021, via Resolution 21-259, the City Commission approved a Third Amendment to Contract; and

WHEREAS, on December 7, 2021, via Resolution No. 21-267, the City Commission approved the first of two (2) contractual four (4)-year extensions effective January 1, 2022 and terminating December 31, 2025; and

WHEREAS, on February 7, 2025, via Resolution No. 23-040, the City Commission approved a Fourth Amendment to Contract; and

WHEREAS, Pursuant to Section 1.3 of the contract, with the option of the City, the contract may be renewed for one (1) additional term of four (4) years each under the same terms and conditions as the initial term, including amendments, subject to the approval of the City Commission; and

WHEREAS, WMI has proposed modifications to the terms of the Agreement, specifically requesting amendments to:

- the annual rate-adjustment calculation, including an increase to the residential collection rate;
- the elimination of the "sticker" program;
- the Commercial Ancillary Fees; and
- the contract provisions related to contractually

provided residential containers.

WHEREAS, the estimated increase requested of WMI in future years, compared to the previous term of the contract (at FY 2025 numbers), could raise costs to City rate payers collectively by \$425,000 per year; and

WHEREAS, it is in the best interest of the City to extend the current contract with WMI as the long-term contract is advantageous to the rate payers in Key West and provides stability to the enterprise fund; and

WHEREAS, the City Manager's Office recommends that the City Manager, or designee, pursue negotiations with WMI in response to their proposed amendments to the Agreement, and present the negotiated amendments to the City Commission for its consideration and approval, upon the advice and consent of the City Attorney and pursuant to Section 1.3 of the City's contract with WMI;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the City Commission hereby approves the final four (4) year renewal pursuant to Section 1.3 of the "Contract to Provide Solid Waste Collection and Processing Services and Operation of the transfer Station" between the City of Key West and Waste Management of Florida, Inc., under the same terms and

conditions as the initial contract, including any amendments.

Section 2: That the City Manager is authorized to execute any necessary related documents, and budget transfers/adjustments, upon consent of the City Attorney.

Section 3: That the City Manager, or designee, shall pursue negotiations with WMI for amended terms to the Agreement, and shall present the negotiated amendments to the City Commission for its consideration and approval, upon the advice and consent of the City Attorney and pursuant to Section 1.3 of the City's contract with WMI.

Section 4: That this resolution shall go into effect immediately upon its passage and adoption and the authentication by the signature of the Presiding Officer and the Clerk of the Commission.

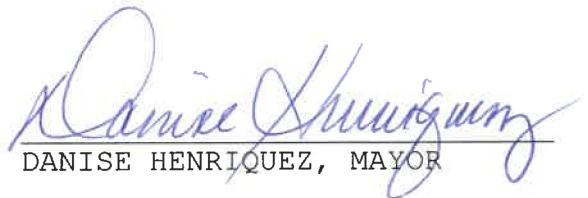
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Passed and adopted by the City Commission at a meeting held
this 2nd day of December, 2025.

Authenticated by the Presiding Officer and Clerk of the
Commission on the 2nd day of December, 2025.

Filed with the Clerk on December 2,
2025.

Mayor Danise Henriquez	<u>Yes</u>
Vice Mayor Donald "Donie" Lee	<u>Yes</u>
Commissioner Lissette Carey	<u>Yes</u>
Commissioner Aaron Castillo	<u>Yes</u>
Commissioner Monica Haskell	<u>Yes</u>
Commissioner District V	<u>Vacant</u>
Commissioner Sam Kaufman	<u>Yes</u>


DANISE HENRIQUEZ, MAYOR

ATTEST:

KERI D'BRIEN, CITY CLERK