

**SEMINOLE COUNTY GOVERNMENT
AGENDA MEMORANDUM**

SUBJECT: Update On Residential Solid Waste Collection Franchises, Service Area 3

DEPARTMENT: Environmental Services DIVISION: Solid Waste Management

AUTHORIZED BY: *Robert G. Adolphe* CONTACT: *David Gregory* EXT. 2022
Robert G. Adolphe, P.E. David Gregory

Agenda Date 09-28-04 Regular Consent Work Session Briefing
Public Hearing – 1:30 Public Hearing – 7:00

MOTION/RECOMMENDATION:

Authorize staff to initiate competitive procurement procedures to select a firm to provide residential solid waste collection services in Franchise Service Area 3.

BACKGROUND:

At the June 24, 2004 Board of County Commissioners meeting, staff was directed to complete negotiations with the Republic Services for the residential solid waste collection franchises. The Board allowed Republic to change several items in the franchise agreement (i.e., the percentage rate for the annual rate was increased and an earlier adjustment of the annual rate increase was provided).

The franchise agreement was revised to include Republic's requested changes. All three haulers received the same revised franchise agreement for signature. Waste Management and Waste Services of Florida (formerly Florida Recycling Services) have returned signed franchise agreements to the County.

Republic had been assigned Service Area 3. On Wednesday, September 15, 2004 a letter was sent to the County Attorney's office from Republic's legal counsel informing the County that the company no longer wanted to renew its franchise agreement.

The current franchise agreements expire on December 31, 2004. In order to have a service provider in place at the onset of the new term, an immediate competitive procurement for residential solid waste collection services for Service Area 3 is necessary.

Reviewed by:
Co Atty: _____
DFS: N/A
Other: N/A
DCM: SS
CM: *[Signature]*
File No. RESS04

Service Area boundaries are shown in Exhibit A, attached.

FOWLER & O'QUINN, P.A.
PROFESSIONAL ASSOCIATION
ATTORNEYS AND COUNSELORS AT LAW

JAMES A. FOWLER
MICHAEL A. O'QUINN, P.A.**
MARY L. SNEED
ANDREW W. MAI

EMPIRE BUILDING
28 W. CENTRAL BLVD.
FOURTH FLOOR
ORLANDO, FLORIDA
32801

TELEPHONE: (407) 425-2684
TELEFAX: (407) 425-2690
E-MAIL: FBFOLAW@AOL.COM
** Also admitted in Georgia

September 16, 2004

VIA FACSIMILE 407.665.7259

ORIGINAL VIA U.S. MAIL

Susan E. Dietrich, Assistant County Attorney
Seminole County, Florida
1101 E. 1st Street
Sanford, Florida 32771

Post-it® Fax Note	7671	Date	9-16-04	# of pages	▶
To	DAVID GREGORY				
From	S. DIETRICH				
Co./Dept.	Co.				
Phone #	Phone #				
Fax #	Fax #				

Re: New Contract

Dear Ms. Dietrich:

We write on behalf of our client, Republic Services of Florida, LP.

Republic has asked us to communicate to Seminole County that, because of market factors and other circumstances beyond the control of Republic, Republic is not at this time in a position to enter into the solid waste contract presented to Republic by Mr. Gregory.

Republic remains interested, however, in considering any request for proposal for solid waste services that may be issued by Seminole County in the future.

As always, we welcome the opportunity to discuss these matters with you *via* telephone or in person at any time.

Best regards.

Sincerely,

FOWLER & O'QUINN, P.A.


Michael A. O'Quinn

MOQ: rbs

cc: Tim Benter, Esquire
Guy Thompson, Republic Services of Florida, LP
Brian Short, Republic Service of Florida, LP