

Mayor and Council Communication

DATE: 08/20/19

M&C FILE NUMBER: M&C 19-0060

LOG NAME: 23FRONTIER WASTE SOLUTIONS NON-EXCLUSIVE GRANTS OF PRIVILEGE

SUBJECT

Authorize Execution of an Agreement Granting a Non-Exclusive Privilege to Frontier Access, LLC d/b/a Frontier Waste Solutions for the Collection and Transport of Municipal Solid Waste Within the City Pursuant to Chapter 12.5, Article VIII Solid Waste and Recycling, Division 5 Private Collectors of the Code of the City of Fort Worth (ALL COUNCIL DISTRICTS)

RECOMMENDATION:

It is recommended that the City Council authorize the execution of an Agreement granting a non-exclusive privilege to Frontier Access, LLC d/b/a Frontier Waste Solutions to use public streets, alleys and thoroughfares within the City for the business of collecting and transporting municipal solid waste pursuant to Chapter 12.5, Article VIII Solid Waste and Recycling, Division 5 Private Collectors of the Code of the City of Fort Worth.

DISCUSSION:

Frontier Access, LLC d/b/a Frontier Waste Solutions has submitted an application for a non-exclusive grant of privilege agreement to collect and transport municipal solid waste generated by businesses and industries in Fort Worth. The term of the Agreement is for a period of five years and will automatically renew each five year period unless notice of termination is provided by one party to the other at least 30 days prior to the date of the renewal. The Director of Code Compliance has determined that the applicant meets the requirements of the law and the City Code and recommends that the City Council authorize the non-exclusive grant of privilege agreement, which must be passed by a two-thirds vote of the City Council.

In accordance with the terms of the Agreement, Frontier Access, LLC d/b/a Frontier Waste Solutions shall pay to the City a fee of five percent (5%) of gross revenues derived from its commercial collection and transporting operations within the City. Revenues generated from contracts with the City for residential garbage and recycling services are excluded from this calculation. Such a fee shall be paid on a quarterly basis due on April 30, July 31, October 31 and January 31 for the preceding quarter. Frontier Waste Solutions also agrees to comply with all other terms such as the condition of the solid waste container used, assumption of liability for damage caused, collection times and the submission of annual reports.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendation the Code Compliance Department and the Financial Management Services Department have the responsibility for the collection and deposit of funds due to the City under this Agreement in the Solid Waste Fund. Since this commercial solid waste hauler does not currently offer services in Fort Worth, an annual estimate of revenue is not included.

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