

# Mayor and Council Communication

**DATE:** 05/14/24

**M&C FILE NUMBER:** M&C 24-0436

**LOG NAME:** 22WM RESIDENTIAL COLLECTION AMENDMENT NO. 4

## **SUBJECT**

(ALL) Authorize Amendment No. 4 to CSC No. 28358-E2 with Waste Management of Texas, Inc. for Collection of Residential Garbage, Refuse and Small Bulky Waste, Recyclables, Certain Commercial Solid Waste, Yard Waste, C&D and Large Brush and Large Bulky Waste to Amend M/WBE Component and Other General Terms and Conditions

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## **RECOMMENDATION:**

It is recommended that the City Council authorize an amendment No. 4 to CSC No. 28358-E2 with Waste Management of Texas, Inc. for Collection of Residential Garbage, Refuse and Small Bulky Waste, Recyclables, Certain Commercial Solid Waste, Yard Waste, C&D and Large Brush and Large Bulky Waste to Amend the MWBE Component and the following general terms and conditions:

- Age of the fleet
  - Verified Missed Pickups
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## **DISCUSSION:**

On November 11, 2021, the City Council, under Mayor and Council Communication (M&C) 21-0860, authorized the Second Extension and Restatement of City Secretary Contract No. 28358 E-1 with Waste Management of Texas, Inc. (WM), for the Collection of Residential Garbage, Refuse and Bulky Waste, Recyclables, Certain Commercial Solid Waste, Yard Waste, Construction and Demolition, and Large Brush with an approximate 12 year renewal period to end April 1, 2033, for an estimated contract cost of \$478,800,000. In April 2024, the City of Fort Worth (City) received requests from WM to amend the Contract to support consistent service levels with a focus on customer service. City Staff and WM have reviewed each request and negotiated revisions to the terms and conditions of this Contract.

Staff recommends that the City Council remove the M/WBE 25% component from the Contract as a requirement. In accordance with the City of Fort Worth's Business Equity Ordinance, City staff has reviewed and determined that the marketplace does not support a business equity requirement for this Contract. In addition, staff recommends two (2) administrative Contract changes be made as the City continues to improve residential collection operations. These changes include adjusting the age of fleet requirements and revising Contract language to recover verified missed collections to be consistent across all lines of service (i.e., garbage, recycling, yard, and bulk).

There is no anticipated financial impact on the City. Authorization is expected to improve route consistency, increase service levels to residents, improve customer service, and restore dependable carryout services for customers with disabilities.

There is no spending authority change requested under this M&C amendment.

This serves all COUNCIL DISTRICTS.

A Form 1295 is not required because: This contract will be with a publicly-traded business entity or a wholly-owned subsidiary of a publicly-traded business entity: Waste Management of Texas, Inc.

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## **FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendation will have no material effect on City funds.

**Submitted for City Manager's Office by:** Valerie Washington 6199

**Originating Business Unit Head:** Cody Whittenburg 5455

**Additional Information Contact:**

Expedited