

Town of Melbourne Village
Resolution 2024-01

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF MELBOURNE VILLAGE, BREVARD COUNTY, FLORIDA, EXERCISING AN EXTENSION OF THE SOLID WASTE FRANCHISE CONTRACT CURRENTLY IN EFFECT FOR A TERM OF FIVE (5) YEARS COMMENCING FEBRUARY 1, 2024 AND EXTENDING TO JANUARY 31, 2029, REQUESTING COLLECTOR'S APPROVAL OF THE EXTENSION, AND DIRECTING STAFF TO ATTACH THIS RESOLUTION AND THE COLLECTOR'S AGREEMENT THERETO TO THE CONTRACT AS AN AMENDMENT.

WHEREAS, the Town of Melbourne Village (the "Town"), by Ordinance 2011-01, entered into a Solid Waste Franchise Contract (the "Contract") with Waste Pro of Florida, Inc. (the "Collector"); and

WHEREAS, the Contract provides for up to three (3) extension terms of five (5) years each; and

WHEREAS, the Town, by Resolution 2019-03, extended the Contract for a second period of five (5) years commencing on February 1, 2019 and ending on January 31, 2024; and

WHEREAS, the Contract provides that the extension shall be under the same terms and conditions as the original term unless either party notifies the other at least 180 days prior to the extension date, and

WHEREAS, the Collector has provided notice of request of an amendment within the required 180 day period, specifically, to establish a new base rate for residential and commercial, adjusted annually for the remaining years of the contract extension, and updating the reference of generic CPI to the industry standard Garbage and Trash collection index; and

WHEREAS, the Town wishes to extend the Contract for the third and final five (5) year extension term, commencing on February 1, 2024 and ending on January 31, 2029, subject to the amendments set forth herein; and

WHEREAS, the Collector has reviewed this Resolution 2024-01, and has consented and agreed in writing to the extension of, and amendments to, the Contract as set forth herein.

NOW, THEREFORE, does the Town Commission of the Town of Melbourne Village hereby resolve:

Section 1. Extension of the Contract. Pursuant to Section 5 - Extension of Contract, the Contract is hereby extended for a third and final five (5) year extension term, under the same terms and conditions except as amended herein, commencing February 1, 2024 and ending on January 31, 2029, within 60 days prior to the end of the final option year, the Collector and Town can mutually agree to add additional option years as defined by both parties.

Section 2. New Base Rate for Residential and Commercial. Pursuant to Appendix A – Rates, the rate base and CPI is hereby adopted as follows, effective February 1, 2024:


- Residential Rate - \$30.38 per home
- Commercial Rate - \$7.51 per cubic yard
- Roll-Off Compactor/Open Top Per Pull - \$420.81

Rates to be adjusted annually for the remaining years of the contract extension. Future adjustments at \$3.50 + CPI per home (residential) and \$0.50 + CPI per cubic yard (commercial). The annual index is defined as Garbage and Trash collection Index (Series ID: CUUR0000SEHG02) November to November annually. All other commercial rates are to increase at the same percentage rate as the per cubic year rate noted above.

This resolution passed and adopted by the Town Commission of the Town of Melbourne Village on Tuesday, January 23, 2024.

ATTEST:


Heather Roberts
Town Clerk/Treasurer


Susan Ditty
Mayor