



## Legislation Text

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### Interoffice Memorandum

**DATE:** June 21, 2024

**TO:** Mayor Jerry L. Demings and County Commissioners

**FROM:** Carrie Mathes, CFCM, NIGP-CPP, CPPO, C.P.M., Manager II, Procurement Division

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**SUBJECT:** Selection of Consultant, Request for Proposals Y23-810-R2, Public Private Partnership for the Development and Operation of a Materials Recovery Facility

#### **RECOMMENDATION:**

Selection of FCC Environmental Services Florida, LLC for Public Private Partnership for the Development and Operation of a Materials Recovery Facility, Request for Proposals, Y23-810-R2. Further request Board authorization for the Procurement Division to enter into contract negotiations. ([Utilities Department Solid Waste Division] Procurement Division)

#### **PROCUREMENT:**

Staff will provide a presentation to the Board to detail the project framework as well as the procurement process. At the conclusion of the presentation, staff will request Board action as detailed above. The final negotiated contract will advance to the Board for approval at a later date. The proposal was evaluated by the Procurement Committee on January 17, 2024. Commissioner Michael Scott was assigned to the Procurement Committee.

#### **FUNDING:**

The selected firm will be responsible for financing the project.

#### **DISCUSSION:**

The County owns an existing Materials Recovery Facility (MRF) that long served the central Florida region, but the County's existing MRF is no longer operating. The processing equipment is obsolete and/or has reached the end of its useful service life. The County's recyclable materials must be shipped long distances for processing. The Solid Waste Division wishes to enter into a long-term public-private partnership (Section 255.065 Florida Statutes (F.S.)) arrangement to provide a MRF pursuant to 403.703(29) F.S.) for safe, effective, and sustainable processing and marketing services

for the County's residential recycling program materials, while serving the greater needs of the region for both residential and commercial recycling. This minimizes life-cycle costs and maximizes its sustainability initiatives, including environmental, social, and business benefits.

The selected firm will design, permit, finance, build, operate, and maintain a new MRF to be located at the Orange County Landfill. The project contemplates a long-term contract for the operation of the new MRF for a period of 20 years.

The fixed fee component of the processing fee will compensate the firm for all costs and expenses associated with the development of the new MRF, including the costs and expenses for designing, permitting, financing, and constructing the building, scale house, and other improvements on the site and the purchase and installation of the processing equipment. The fixed fee component of the processing fee will equal the total amount of all new MRF, the improvement costs amortized over the 20-year period, and the processing equipment costs amortized over 10 years.

One proposal was received in response to this Request for Proposals (RFP). To ensure an open and competitive process, there were two marketing events prior to issuing this solicitation for all interested bidders. The RFP was posted on the County's e-procurement solution.

A query from staff to potential proposers that declined to compete on this project resulted in the following:

Waste Management Inc.: The requirements do not meet the business model to submit a response for these services.

Green for Life Environmental.: The 20-year agreement and the contract terms restrict their ability to terminate for convenience if significant liquidated damages or contract deductions were to occur.

The Procurement Committee evaluated the proposal in accordance with the criteria set forth in this RFP. The Procurement Committee's consensus scores are attached.