



Fulton County Board of Commissioners
Agenda Item Summary

18-0940

BOC Meeting Date

12-19-18

Requesting Agency

Real Estate and Asset Management

Commission Districts Affected

All Districts

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval to extend existing contracts - Department of Real Estate and Asset Management, Bid#16ITB48399C-MT, Fulton County Facilities Solid Waste Disposal and Recycling Services in the total amount of \$450,000 with: (A) Georgia Waste Systems, Inc., dba Waste Management, Inc. (Lake City, GA) in the amount of \$200,000; and (B) Advance Disposal Services of Atlanta, LLC (Ball Ground, GA) in the amount of \$250,000 - to provide continue landfill solid waste disposal and single stream recycling services for three additional months. Effective dates: January 1, 2019, through March 31, 2019.

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

In accordance with Purchasing Code Section 102-420, contract modifications within the scope of the contract & necessary for contract completion of the contract, in the specifications, services, time of performance or terms and conditions of the contract shall be forwarded to the Board of Commissioners for approval.

Is this Item related to a Strategic Priority Area? *(If yes, note strategic priority area below)*

Yes All People trust government is efficient, effective, and fiscally sound

Is this a purchasing item?

Yes

Summary & Background

(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

Scope of Work: These contracts furnishes all materials, labor, equipment, transportation and appurtenances necessary for providing comprehensive Fulton County Facilities solid waste disposal and single stream recycling services. The Scope of Work consists of: solid waste collection, transportation and disposal services for the County's facilities, and to support the ongoing operational needs for the disposal of construction and demolition waste, clearing and grubbing debris, municipal solid waste, and other routine waste materials.

In addition to the solid waste disposal, the contractors shall provide landfill/transfer station or other disposal facilities, such as dumpsters, roll off containers and single stream recycling collection as needed to meet the essential operations of the County to include parking lots. This may require the solid waste contractor to operate on a variable or limited frequency to satisfy the additional solid waste needs of any Fulton County Facilities. The recycling will be conducted utilizing recycling 95 gallon containers.

Community Impact: The overall impact on the community health would be unsanitary conditions throughout the county if solid waste is not properly disposed of. The addition of single stream Packet

Agency Director Approval		County Manager's Approval
Typed Name and Title Felicia Strong-Whitaker, Director	Phone (404) 612-5800	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

recycling affords the surrounding communities to recycle without having to separate the waste. This applies to all districts.

Department Recommendation: The Department of Real Estate and Asset Management recommends approval to extend existing contracts to provide comprehensive Fulton County Facilities solid waste disposal and single stream recycling services for additional three (3) months until new contract agreements are fully executed for fiscal year 2019.

This extension for a three (3) month time period effective; January 1, 2019 through March 31, 2019, is being requested to ensure continued comprehensive Fulton County Facilities solid waste disposal and single stream recycling services until the new contracts are executed. The reason for the extension was due to the bid cancellation of #18ITB113819C-GS. There were critical errors in the cost proposals submitted by all three responding bidders such that the department cannot determine which bidder is providing the lowest cost for each requested service.

The bid specification documents (Scope and Bid Form) are being revised to ensure simplification for what being asked and the removal of South Fulton facilities and the Mark-Miles Transfer Station Facilities/Recycling Center. The ITB documents will be submitted to Purchasing for new solicitation process for FY2019. The existing contracts #16ITB48399C-MT expires on December 31, 2018. The extended terms will allow enough time for ITB solicitation; to evaluate/recommend lowest bid process; BOC approval of new awards and contract executions are completed. We anticipate new contracts to begin April 1, 2019.

Project Implications: The intent to extend the existing contracts to ensure the collection of solid waste Fulton County Facilities as well as single stream recycling services for three additional months until new contract agreements are fully executed.

Community Issues/Concerns: The only community issue that the department is aware of pertains to the libraries, which currently has curbside service for solid waste, and the addition of single stream recycling it addresses another community need.

Department Issues/Concerns: If these extensions are not approved, the County will not have ability to collect solid waste and recycle materials from Fulton County Facilities and disposing properly.

History of BOC Agenda Item: Yes, see charts below:

(A) Georgia Waste Systems, Inc., d/b/a Waste Management, Inc.

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Contract Amount	16-0247	3/16/16	\$376,917.60
Amendment No. 1	16-1008	11/2/16	\$11,113.60
1 st Renewal	16-1008	11/2/16	\$403,254.24
Amendment No. 2	17-0619	8/2/17	\$100,000.00
2 nd Renewal	17-1072	12/20/17	\$503,254.24
Increase Spending Authority No. 1	18-0755	10/17/18	\$83,000.00
Contract Extension No.1			\$200,000.00

Continued

Total Revised Amount			\$1,677,539.68
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(B) Advanced Disposal Services of Atlanta, LLC

CURRENT CONTRACT HISTORY	BOC ITEM	DATE	DOLLAR AMOUNT
Original Contract Amount	16-0247	3/16/16	\$376,917.60
1 st Renewal	16-1008	11/2/16	\$376,917.60
Amendment No. 1	17-0619	8/2/17	\$210,000.00
2 nd Renewal	17-1072	12/20/17	\$586,917.60
Increase Spending Authority No. 1	18-0755	10/17/18	\$236,000.00
Contract Extension No.1			\$250,000.00
Total Revised Amount			\$2,036,752.80

Contract & Compliance Information	<i>(Provide Contractor and Subcontractor details.)</i>
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(A)

Contract Value: \$200,000.00
Prime Vendor: Georgia Waste Systems, Inc. d/b/a Waste Mgmt, Inc.
Prime Status: Non-Minority
Location: Lake City, GA
County: Clayton County
Prime Value: \$142,440.00 or 71.22%

Subcontractor: BMS Enterprises
Subcontractor Status: African American Business Enterprise
Location: Conyers, GA
County: Rockdale County
Subcontractor Value: \$57,560.00 or 28.78%

(B)

Contract Value: \$250,000.00
Prime Vendor: Advance Disposal Services of Atlanta, LLC
Prime Status: Non-Minority
Location: Ball Ground, GA
County: Cherokee County
Prime Value: \$210,925.00 or 84.37%

Subcontractor: Latham Home Sanitation Company, Inc.
Subcontractor Status: White Female Business Enterprise-Certified
Location: Loganville, GA
County: Walton County
Subcontractor Value: \$39,075.00 or 15.63%

Grand Contract Value: \$450,000.00 or 100.00%
Grand M/FBE Value: \$96,635.00 or 21.47%

[Click here to enter text.](#)

Solicitation Information	NON-MFBE	MBE	FBE	TOTAL
No. Bid Notices Sent:				
No. Bids Received:				
Total Contract Value	\$450,000.00 or 100.00%			
Total M/FBE Values	\$96,635.00 or 21.47%			
Total Prime Value	\$353,365.00 or 78.53%			
Fiscal Impact / Funding Source <i>(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)</i> 100-999-S666-1175: General, Non-Agency, Trash Services- \$400,000 573-650-6550-L011: Library Bond Capital Phase 2, Library, Central Library- \$50,000 "Subject to availability of funding adopted for FY2019 by BOC"				
Exhibits Attached <i>(Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)</i> Exhibit 1: Amendment No.3 & No.4 to Form of Contracts Exhibit 2: Contractors Performance Reports				
Source of Additional Information <i>(Type Name, Title, Agency and Phone)</i> Ellis G. Kirby, LEED AP, CEM, CEFP, Deputy Chief Operation Officer for Infrastructure, (404) 612-5919				

Agency Director Approval		County Manager's Approval
Typed Name and Title Felicia Strong-Whitaker, Director	Phone (404) 612-5800	
Signature	Date	

Revised 03/12/09 (Previous versions are obsolete)

Procurement			
Contract Attached: Yes		Previous Contracts: Yes	
Solicitation Number: 16ITB48399C-MT	Submitting Agency: Department of Real Estate and Asset Management	Staff Contact: Harry Jordan	Contact Phone: (404) 612-5933
Description: Approval to extend existing contracts to provide comprehensive Fulton County Facilities solid waste disposal and single stream recycling services for Fulton County facilities.			
FINANCIAL SUMMARY			
Total Contract Value:		MBE/FBE Participation:	
Original Approved Amount:	\$753,837.20	Amount: .	%. .
Previous Adjustments:	\$2,510,577.28	Amount: .	%. .
This Request:	\$450,000.00	Amount: \$96,635.00	21.47%. .
TOTAL:	\$3,714,414.48	Amount: .	%. .
Grant Information Summary:			
Amount Requested: .	<input type="checkbox"/>	Cash	
Match Required: .	<input type="checkbox"/>	In-Kind	
Start Date: .	<input type="checkbox"/>	Approval to Award	
End Date: .	<input type="checkbox"/>	Apply & Accept	
Match Account \$: .			
Funding Line 1: 100-999-S666-1175: \$400,000.00 "Subject to availability of funding adopted for FY2019 by BOC"	Funding Line 2: 573-650-6550-L011: \$50,000.00 "Subject to availability of funding adopted for FY2019 by BOC"	Funding Line 3: .	Funding Line 4: .
KEY CONTRACT TERMS			
Start Date: 1/1/2019	End Date: 3/31/2019		
Cost Adjustment: .	Renewal/Extension Terms: Three months extension.		
ROUTING & APPROVALS (Do not edit below this line)			
X	Originating Department:	Kirby, Ellis	Date: 10/31/2018
X	County Attorney:	Stewart, Derval	Date: 11/27/2018
X	Purchasing/Contract Compliance:	Strong-Whitaker, Felicia	Date: 11/27/2018
X	Finance/Budget Analyst/Grants Admin:	McNair, Sherri	Date: 11/6/2018
.	Grants Management:	.	Date: .
X	County Manager:	Anderson, Dick	Date: 11/27/2018

AMENDMENT NO. 3 TO FORM OF CONTRACT

Contractor: **Advanced Disposal Services of Atlanta, LLC**

Contract No. **16ITB48399C-MT, Countywide Solid Waste Disposal and Recycling Services**

Address: **8880 Old Federal Road**
City, State **Ball Ground, GA 30107**

Telephone: **(770) 560-4025**

E-mail: steveedwards@advenceddisposal.com

Contact: **Steve Edwards,**
Municipal Marketing Manager

W I T N E S S E T H

WHEREAS, Fulton County (“County”) entered into a Contract with **Advanced Disposal Services of Atlanta, LLC** to provide/perform Countywide Solid Waste Disposal and Recycling Services, dated 1st day of April 2016, on behalf of the **Department of Real Estate and Asset Management**; and

WHEREAS this amendment to extend the existing contract for additional three (3) month period to provide solid waste disposal and recycling services for Fulton County from January 1, 2019 through March 31, 2019, until new contract agreement has been fully executed.

WHEREAS, the Contractor has performed satisfactorily over the period of the contract; and

WHEREAS, this amendment was approved by the Fulton County Board of Commissioners on **December 5, 2018, BOC Items #18-** .

NOW, THEREFORE, the County and the Contractor agree as follows:

This Amendment No. 3 to Form of Contract is effective as of the 5th day of **December, 2018**, between the County and **Advanced Disposal Services of Atlanta, LLC**, who agree that all Services specified will be performed in accordance with this Amendment No. 3 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** Continued to furnish all labor, equipment and transportation necessary to provide comprehensive solid waste collection, disposal services and recycling for Fulton County facilities. Provide

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support for ongoing operational needs for the disposal of construction and demolition waste additional dumpsters and roll off containers for the disposal of containers and demolition waste at the Central Library; and additional solid waste disposal services for Jail Complex and parking lots for Fulton County for additional three (3) months from January 1, 2019, through March 31, 2019.

2. **COMPENSATION:** The services described under Scope of Work herein shall be performed by Contractor for a total amount not to exceed **\$250,000.00**.
3. **LIABILITY OF COUNTY:** This Amendment No. 3 to Form of Contract shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the Chair to the Commission, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF AMENDMENT NO. 3 TO FORM OF CONTRACT:** Except as modified by this Amendment No. 3 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

CONSULTANT:

FULTON COUNTY, GEORGIA

**ADVANCED DIISPOSAL
SERVICES OF ATLANTA, LLC**

Robert L. Pitts
Chairman

Steve Edwards,
Municipal Marketing Manager

ATTEST:

ATTEST:

Jesse A. Harris
Clerk to the Commission

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Office of the County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

Ellis G. Kirby, LEED AP, CEM, CEFP,
Deputy Chief Operation Officer for
Infrastructure

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____ RECESS MEETING	ITEM#: _____ RM: _____ REGULAR MEETING
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AMENDMENT NO. 4 TO FORM OF CONTRACT

Contractor: **Georgia Waste Systems, Inc. dba Waste Management, Inc.**

Contract No. **16ITB48399C-MT, Countywide Solid Waste Disposal and Recycling Services**

Address: **1571 Burks Drive**
City, State **Lake City, GA 30260**

Telephone: **(404) 931-7880**

E-mail: kmitche9@wm.com

Contact: **Tracy Shrader,**
President

W I T N E S S E T H

WHEREAS, Fulton County ("County") entered into a Contract with **Georgia Waste Systems, Inc. dba Waste Management, Inc.** to provide/perform Countywide Solid Waste Disposal and Recycling Services, dated 1st day of April 2016, on behalf of the **Department of Real Estate and Asset Management**; and

WHEREAS this amendment to extend the existing contract for additional three (3) month period to provide solid waste disposal and landfill solid waste disposal services at the Merk Miles Landfill/Transfer station and other County building and facilities from January 1, 2019 through March 31, 2019, until new contract agreement has been fully executed.

WHEREAS, the Contractor has performed satisfactorily over the period of the contract; and

WHEREAS, this amendment was approved by the Fulton County Board of Commissioners on **December 5, 2018, BOC Items #18-**

NOW, THEREFORE, the County and the Contractor agree as follows:

This Amendment No. 4 to Form of Contract is effective as of the 5th day of **December, 2018**, between the County and **Georgia Waste Systems, Inc. dba Waste Management, Inc.**, who agree that all Services specified will be performed in accordance with this Amendment No. 4 to Form of Contract and the Contract Documents.

1. **SCOPE OF WORK TO BE PERFORMED:** Continued to furnish all labor and equipment necessary to provide comprehensive solid waste collection, disposal

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services and landfill solid waste disposal services at the Merk Miles Landfill/Transfer station and other County building and facilities for Fulton County for additional three (3) months from January 1, 2019, through March 31, 2019.

2. **COMPENSATION:** The services described under Scope of Work herein shall be performed by Contractor for a total amount not to exceed **\$200,000.00**.
3. **LIABILITY OF COUNTY:** This Amendment No. 4 to Form of Contract shall not become binding on the County and the County shall incur no liability upon same until such agreement has been executed by the Chair to the Commission, attested to by the Clerk to the Commission and delivered to Contractor.
4. **EFFECT OF AMENDMENT NO. 4 TO FORM OF CONTRACT:** Except as modified by this Amendment No. 4 to Form of Contract, the Contract, and all Contract Documents, remain in full force and effect.

IN WITNESS THEREOF, the Parties hereto have caused this Contract to be executed by their duly authorized representatives as attested and witnessed and their corporate seals to be hereunto affixed as of the day and year date first above written.

OWNER:

CONSULTANT:

FULTON COUNTY, GEORGIA

**GEORGIA WASTE SYSEMS,
INC. D/B/A WASTE
MANAGEMENT, INC**

Robert L. Pitts
Chairman

Tracy Shrader,
President

ATTEST:

ATTEST:

Jesse A. Harris
Clerk to the Commission

Secretary/
Assistant Secretary

(Affix County Seal)

(Affix Corporate Seal)

APPROVED AS TO FORM:

ATTEST:

Office of the County Attorney

Notary Public

APPROVED AS TO CONTENT:

County: _____

Ellis G. Kirby, LEED AP, CEM, CEFP,
Deputy Chief Operation Officer for
Infrastructure

Commission Expires: _____

(Affix Notary Seal)

ITEM#: _____ RCS: _____	ITEM#: _____ RM: _____
RECESS MEETING	REGULAR MEETING

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT
PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
1/1/2018	6/30/2018	1/1/2018	12/31/2018
PO Number			PO Date
132618-0537			3/26/2018
Department	Real Estate and Asset Management		
Item Number	16ITB48399C-MT		
Service Commodity	Solid Waste Disposal and Recycling Services		
Contractor	Advanced Disposal		

= Unsatisfactory	<i>Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable delay, incompetence, high degree of customer dissatisfaction.</i>
= Poor	<i>Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.</i>
= Satisfactory	<i>Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.</i>
= Good	<i>Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied.</i>
= Excellent	<i>Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.</i>

Quality of Goods/Services (-Specification Compliance - Technical Excellence - Reports/Administration - Personnel Qualification)

Comments:

0 Vendor provides quality service, always provides reports in a timely manner as requested.

1

2

3

4

Timeliness of Performance (-Were Milestones Met Per Contract - Response Time (per agreement, if applicable) - Responsiveness to Direction/Change - On Time Completion Per Contract)

Comments:

0 Vendor is reliable; dumpsters and compactors are picked up and returned in a timely manner as requested in the contract.

1

2

3

4

Business Relations (-Responsiveness to Inquiries - Prompt Problem Notifications)

Comments:

0

1

Customer Satisfaction (-Met User Quality Expectations - Met Specification - Within Budget - Proper Invoicing - No Substitutions)

Comments:

Vendor submits invoices in timely manner and support county efforts.

Contractors Key Personnel (-Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

Comments:

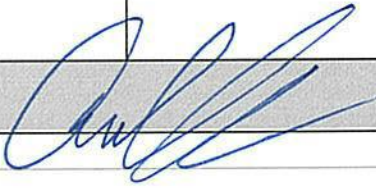
Vendor's personnel are highly qualified and are able to achieve its mission. Management is always available when needed.

Overall Performance Rating: 4.0

Would you select/recommend this vendor again?
 (check box for Yes. Leave Blank for No)

Yes No

Rating completed by: Shaista Begum

Department Head Name	Department Head Signature	Date
ELLIS G. KIRBY		7/24/2017

DEPARTMENT OF PURCHASING & CONTRACT COMPLIANCE

CONTRACTORS PERFORMANCE REPORT
PROFESSIONAL SERVICES

Report Period Start	Report Period End	Contract Period Start	Contract Period End
1/1/2018	9/18/2018	1/1/2018	12/31/2018
PO Number			PO Date
PO 520 032618 *536			3/26/2018
Department	Real Estate and Asset Management		
Contract Number	16ITB48399C-MT		
Service Commodity	Solid Waste Disposal and Recycling Services		
Contractor	Georgia Waste Systems, Inc.		

= Unsatisfactory	<i>Achieves contract requirements less than 50% of the time, not responsive, effective and/or efficient, unacceptable delay, incompetence, high degree of customer dissatisfaction.</i>
= Poor	<i>Achieves contract requirements 70% of the time. Marginally responsive, effective and/or efficient; delays require significant adjustments to programs; key employees marginally capable; customers somewhat satisfied.</i>
= Satisfactory	<i>Achieves contract requirements 80% of the time; generally responsive, effective and/or efficient; delays are excusable and/or results in minor programs adjustments; employees are capable and satisfactorily providing service without intervention; customers indicate satisfaction.</i>
= Good	<i>Achieves contract requirements 90% of the time. Usually responsive; effective and/or efficient; delays have not impact on programs/mission; key employees are highly competent and seldom require guidance; customers are highly satisfied.</i>
= Excellent	<i>Achieves contract requirements 100% of the time. Immediately responsive; highly efficient and/or effective; no delays; key employees are experts and require minimal directions; customers expectations are exceeded.</i>

Quality of Goods/Services (-Specification Compliance - Technical Excellence - Reports/Administration - Personnel Qualification)

Comments:

0 Provide comprehensive solid waste collection, transportation and disposal services for County facilities.

1

2

3

4

Timeliness of Performance (-Were Milestones Met Per Contract - Response Time (per agreement, if applicable) - Responsiveness to Direction/Change - On Time Completion Per Contract)

Comments:

0 Vendor is responsive to County needs and follow directions.

1

2

3

4

Business Relations (-Responsiveness to Inquiries - Prompt Problem Notifications)

Comments:

0

1

Customer Satisfaction (-Met User Quality Expectations - Met Specification - Within Budget - Proper Invoicing - No Substitutions)

Comments:

Vendor price is fixed as per contract and it is accurate.

Contractors Key Personnel (-Credentials/Experience Appropriate - Effective Supervision/Management - Available as Needed)

Comments:

Key personnel are knowledgeable in their field and provide effective communication and supervision.

Overall Performance Rating: 3.8

Would you select/recommend this vendor again?
 (check box for Yes. Leave Blank for No)

Yes No

Rating completed by: Shaista.begum

Department Head Name	Department Head Signature	Date
ELLIS G. KIRBY		9/18/2018