

1 **ORDINANCE NO. _____**

2
3 **AN ORDINANCE TO EXTEND THE EXISTING CONTRACT WITH**
4 **WASTE MANAGEMENT OF ARKANSAS TO PROVIDE CURBSIDE**
5 **RECYCLING SERVICES WITHIN THE CORPORATE LIMITS OF THE**
6 **CITY OF LITTLE ROCK, ARKANSAS; TO DECLARE IT**
7 **IMPRACTICAL AND UNFEASIBLE TO BID FOR AN ADDITIONAL**
8 **THREE (3) YEARS ON THE CONTRACT; TO AUTHORIZE ENTRY**
9 **INTO A CONTRACT WITH WASTE MANAGEMENT OF ARKANSAS**
10 **TO PROVIDE CURBSIDE RECYCLING FOR SOLID WASTE**
11 **CUSTOMERS UNTIL MARCH 31, 2024; TO DECLARE AN**
12 **EMERGENCY; AND FOR OTHER PURPOSES.**

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14 **WHEREAS**, pursuant to Little Rock, Ark., Resolution No. 8,666 (March 3, 1992), the City of Little
15 Rock, Arkansas (“the City”), stated its intent to become a part of the Pulaski County Regional Solid
16 Waste Management District (“PCRSWMD”); and,

17 **WHEREAS**, pursuant to Little Rock, Ark., Resolution No. 9,341 (March 7, 1995), the City and the
18 PCRSWMD entered into a Curbside Recycling Agreement with Waste Management of Arkansas (“Waste
19 Management”); and,

20 **WHEREAS**, pursuant to Little Rock, Ark., Resolution No. 11,497 (April 15, 2003), the City agreed
21 with the PCRSWMD to extend the Recycling Agreement with Waste Management to provide Residential
22 Curbside Recycling Services; and,

23 **WHEREAS**, pursuant to Little Rock, Ark., Resolution No. 13,124 (May 4, 2010), this Recycling
24 Agreement with Waste Management was extended; and,

25 **WHEREAS**, pursuant to Little Rock, Ark., Resolution No. 13,512 (June 5, 2012), this Recycling
26 Agreement was extended again for a period of seven (7) years until April 1, 2019; and

27 **WHEREAS**, pursuant to Little Rock Arkansas Ordinance No. 21,635 (October 1, 2018) this
28 Recycling Agreement with Waste Management was extended, and,

29 **WHEREAS**, after careful consideration and negotiation between the PCRSWMD and Waste
30 Management, it has been determined that with modifications to the existing contract between now and
31 April 1, 2021, and an extension of this contract is necessary for curbside recycling can continue; and,

32 **WHEREAS**, the parties mutually desire to extend contract and maintain service thru March 31, 2024;
33 and,

34 **WHEREAS**, under these unforeseen emergency circumstances it is impractical and unfeasible to

1 submit this agreement to formal competitive bids.

2 **NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CITY**
3 **OF LITTLE ROCK, ARKANSAS:**

4 **Section 1.** It is impractical and unfeasible to submit a contract for Curbside Recycling Services to a
5 formal competitive selection process in conjunction with the PCRSWMD.

6 **Section 2.** The Board of Directors authorizes the City Manager to enter into an extension of the
7 existing Curbside Recycling Contract thru March 31, 2024, with Waste Management to provide Curbside
8 Recycling for approximately 60,000 solid waste customers, at a cost of:

- 9 (a) \$5.39 per month per residential customer for April 1, 2021, through March 31, 2022; and,
- 10 (b) \$5.58 per month per residential customer for April 1, 2022, through March 31, 2023; and,
- 11 (c) \$5.78 per month per residential customer for April 1, 2023, through March 31, 2024.

12 **Section 3.** Funding for the project is allocated in the Solid Waste Collections Contracts Account No.
13 603110-63390.

14 **Section 4. Severability.** In the event any title, section, paragraph, item, sentence, clause, phrase, or
15 word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or
16 adjudication shall not affect the remaining portions of the resolution which shall remain in full force and
17 effect as if the portion so declared or adjudged invalid or unconstitutional were not originally a part of the
18 resolution.

19 **Section 5. Repealer.** All laws, ordinances, resolutions, or parts of the same, that are inconsistent
20 with the provisions of this ordinance, are hereby repealed to the extent of such inconsistency including,
21 but not limited to, Little Rock, Ark., Resolution No. 13,377 (October 3, 2011).

22 **Section 6. Emergency Clause.** *The ability to maintain a viable Curbside Recycling Program for the*
23 *approximately 60,000 City Solid Waste Customers, particularly under the unforeseen and trying*
24 *international market for recyclable products, is essential to the public health, safety and welfare; an*
25 *emergency is, therefore, declared to exist and this ordinance shall be in full force and effect from and*
26 *after the date of its passage.*

27 **ADOPTED: July 7, 2020**

28 **ATTEST:**

APPROVED:

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31 **Susan Langley, City Clerk**

_____ **Frank Scott, Jr., Mayor**

32 **APPROVED AS TO LEGAL FORM:**

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34 **Thomas M. Carpenter, City Attorney**

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