AGENDA ACTION ITEM

DATE: 2026-08-10

TO: Board of County Commissioners

FROM:

ITEM TITLE: **Action Item – Waste/Recycle Collection Franchise Agreement – Notice of Non-renewal**

Summary:

The original Exclusive Franchise Agreement for Collection and Disposal of Materials (Agreement) was signed on August 12, 2015. In 2022, the BoCC opted to renew the existing agreement for an additional five years. The extended contract will expire fall 2027. Language in the current Agreement states the Agreement shall be automatically extended for successive additional terms of five years unless County or Franchisee provides written notice of termination not less than one year prior to the expiration of the Term.

A notice of termination drafted by the civil deputy prosecutor is attached. This notice will allow the County to maintain the right to continue negotiations on a new form of Agreement.

The BoCC, civil deputy attorney, staff and RAD have been working on a new form of Agreement. Attached is the most recent version.

RAD has stated that the agreement has been amended to accommodate the requests and feedback heard from all meetings, as well as to accommodate the new state law. Also, extension term has been changed to 5 years. Included with the proposed amended Agreement is a revised rate card that reflects a rate adjustment request. The adjustment is based on the Bureau of Labor Statistics Western CPI of 4.6% from the BLS June report.

Based on advice from legal, Public Works is recommending that the attached contract draft NOT be adopted. The parties will continue to work on a mutually agreeable version to present to the Board.

Fiscal Impact:

Teton County will either extend the existing contract or put a contract out for bid when the current Agreement expires in the fall of 2027. No significant financial change is anticipated.

Attachments:

Non-renewal Notice Letter
Amended Proposed Exclusive Franchise Agreement

SUGGESTED MOTION:

Approve issuing the Exclusive Agreement for Collection and Disposal of Material Non-renewal Notice to RAD as presented.