

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2020 – 120

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE FURNISHING OF SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE COLLECTION SERVICES; FOR THE OPERATION AND MAINTENANCE OF THE STRONGSVILLE TRANSFER STATION; AND FOR THE RECEIPT, TRANSPORT AND DISPOSAL OF SOLID WASTE OF THE CITY OF STRONGSVILLE; AND DECLARING AN EMERGENCY.**

WHEREAS, under its express and inherent police powers, the City is charged with the responsibility of protecting the public health, safety and welfare, and pursuant to these ends, finds it necessary and appropriate to grant to a contractor the right to furnish solid waste, recyclable materials and yard waste collection services; and to operate and maintain the City of Strongsville Transfer Station, to receive, process and transport solid waste, special waste and recyclable materials; provide solid waste disposal services, and all of the foregoing in order to assure continuity of services in a cost effective manner for the benefit of the City's citizens; and

WHEREAS, to such end, this Council previously approved specifications and authorized advertisement inviting bids for the furnishing of such solid waste, recyclable materials and yard waste collection services; and the operation and maintenance of the City of Strongsville Transfer Station; and the receipt, transport and disposal of solid waste of the City, by and through Resolution No. 2020-088, adopted on June 16, 2020, which specifications, among other things, included a proposed Agreement with Parts I, II and III; and

WHEREAS, various bids were received in response to the foregoing advertisement on July 23, 2020; and

WHEREAS, in accordance with the Instructions to Bidders which were a part of such specifications, this Council has carefully considered the bid responses in order to determine the lowest and best bid, and to award the contract for all such services to commence January 1, 2021.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

**Section 1.** That this Council hereby finds and determines that the bid submitted by **BROWNING-FERRIS INDUSTRIES OF OHIO, INC.**, a Delaware corporation, for the furnishing of solid waste, recyclable materials and yard waste collection services; the operation and maintenance of the City of Strongsville Transfer Station, and the receipt, transport and disposal of solid waste of the City meets the specifications on file in the office of the Director of Public Service; is in compliance with the applicable requirements for bidding and contracts established by the laws of the City and the State; and is the lowest and best bid for the proposed Contract. All other bids for this Contract are hereby rejected. The Council further finds and determines that any and all minor defects or informalities in the bidding process are hereby waived.

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Section 2. That the Mayor, therefore, be and is hereby authorized and directed to enter into an Agreement with the aforesaid lowest and best bidder for the furnishing of solid waste, recyclable materials and yard waste collection services; the operation and maintenance of the City of Strongsville Transfer Station and the receipt, transport and disposal of solid waste of the City in accordance with the specifications and Agreement Parts I, II and III, on file in the office of the Director of Public Service, in an amount not to exceed \$14,055,883.00, for a period of five (5) years commencing January 1, 2021, consistent with the Bidder's response and unit prices, and in accordance with the form of Agreement Parts I, II and III as approved by the Law Director.

Section 3. That the funds for the purpose of such Agreement shall be appropriated annually and paid from the General Fund; and the Director of Finance be and is hereby authorized and directed to issue the City's warrants in accordance with the terms and conditions of such bid and Agreement.

Section 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to enter into an agreement in order to continue the operation, maintenance and management of the City's Transfer Station, and collection and disposal of solid waste, yard waste and recyclable materials. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Wang  
President of Council

Approved: Thomas B. Bruick  
Mayor

Date Passed: 9/8/2020

Date Approved: Sept 8, 2020

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DeMio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kaminski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kosek	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Short	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest: Christina Mehel  
Assistant Clerk of Council

ORD. No. 2020-120. Amended: \_\_\_\_\_  
1st Rdg. 09/08/2020 Ref: \_\_\_\_\_  
2nd Rdg. suspended Ref: \_\_\_\_\_  
3rd Rdg. suspended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: 09/08/2020 Defeated: \_\_\_\_\_