

**ORDINANCE NO. 2015-63
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH BROWNING FERRIS INDUSTRIES OF OHIO, INC., FOR THE PROVISION OF SOLID WASTE TRANSFER AND DISPOSAL SERVICES AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ordinance No. 2015-23, the City of Lyndhurst participated in the consortium, organized by the Cuyahoga County Solid Waste District, comprising the City of Beachwood, the City of Highland Hills, the City of Lyndhurst, the City of Pepper Pike, the Village of Moreland Hills, the City of Solon, the City of University Heights, the City of Warrensville Heights and the Village of Woodmere, to solicit bids for the provision of solid waste transfer and disposal services generated within the participating communities; and

WHEREAS, on behalf of the participants in the Consortium, the Cuyahoga County Solid Waste District published, on June 15, 2015, in the Plain Dealer, an invitation to bid for the required solid waste transfer and disposal services; and

WHEREAS, on July 15, 2015, four bids were submitted for the required solid waste transfer and disposal services; and

WHEREAS, on July 28, 2015, staff from the communities participating in the Consortium met to consider bids, and following discussion, unanimously recommended that the communities participating in the Consortium award the contract for the required solid waste transfer and disposal services to Browning Ferris Industries of Ohio, Inc., as the lowest and best bidder. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. This Council hereby approves and accepts the bid of Browning Ferris Industries of Ohio, Inc., as the lowest and best bidder to provide solid waste transfer and disposal services for the City of Lyndhurst.

SECTION 2. This Council hereby authorizes the Mayor by and on behalf of the City of Lyndhurst to execute and deliver to Browning Ferris Industries of Ohio, Inc., the Notice of Award and Agreement for the Transfer and Disposal Services to be completed and returned to the City of Lyndhurst as required by bid documents.

SECTION 3. This Council declares that the Agreement shall be for a three (3) year period, with options by the City to renew for two (2) additional one year periods in accordance with the bid documents.

SECTION 4. The cost of said services shall be Thirty-Seven Dollars and 59/100 (\$37.59) per ton for the first year, Thirty-Eight Dollars and 53/100 (\$38.53) per ton for the second year, and Thirty-Nine Dollars and 49/100 (\$39.49) per ton for the third year, based upon an estimated annual disposal amount of 5,500 tons.

SECTION 5. Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance shall hereby be declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Lyndhurst in order to meet contractual requirements for the City. It shall therefore take effect immediately upon the affirmative vote of not less than five members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

PASSED: September 8, 2015

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on September 17, 2015 and September 24, 2015.

Clerk of Council

First Reading: September 8, 2015

Second Reading: Suspended

Third Reading: Suspended

Passed 9-8-2015