

RESOLUTION NO.: 129-2022
INTRODUCED BY: Mayor Thomas

A RESOLUTION EXERCISING THE SECOND OPTION YEAR TO AN EXISTING CONTRACT WITH WASTE MANAGEMENT OF OHIO, INC., FOR SOLID WASTE COLLECTION AND DISPOSAL SERVICES; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to a contract entered into between the City of Richmond Heights and Waste Management of Ohio, Inc. ("WM") for solid waste collection and disposal (the "Contract"), as authorized by Resolution No. 110-2018 of this Council, passed October 9, 2018, which Contract commenced on January 1, 2019, and was to expire by its terms on December 31, 2021, the City reserved the exclusive right to accept or reject one or all of two, one-year options to renew;

WHEREAS, the original contract between WM and the City was awarded pursuant to a public competitive bidding process to the lowest and best bidder;

WHEREAS, pursuant to Resolution No. 97-2021, adopted on September 28, 2021, this Council exercised the first option year of the contract with WM;

WHEREAS, after due consideration, this Council desires to exercise the second option year of said contract in the amounts set forth on Proposal Bid Form 3 of the Contract;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The City of Richmond Heights hereby exercises the second option year provided for in a certain Contract entered into between Waste Management of Ohio, Inc., and the City of Richmond Heights which was authorized by Resolution No. 110-2018 of this Council, in the amounts set forth on Proposal Bid Form 3 of the Contract attached hereto as Exhibit A. Pursuant to said Contract, the second option year shall commence on January 1, 2023, and end on December 31, 2022, and shall be in accordance with all of the terms and specifications in the Contract.

Section 2: Pursuant to the Contract at Article V, Section 1, the contractor is required to furnish a Performance Bond as security for the performance of the Contract and to do so prior to January 1, 2023.

Section 3: The Clerk is directed to cause a copy of this Resolution to be delivered to Waste Management of Ohio, Inc. immediately upon passage by this Council which shall be delivered to WM by September 30, 2022.

Section 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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, including Section 121.22 of the Ohio Revised Code.

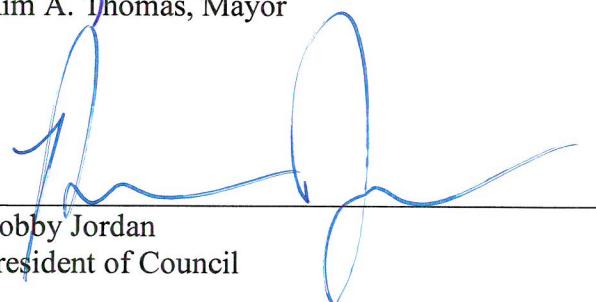
Section 5: This Resolution is declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare and for the further reason that it is immediately necessary for the Council to exercise the second option year which is the subject of this Resolution at least 90 days before the end of 2022; therefore, provided this Resolution receives the affirmative vote of five members of the Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall be in full force and effect from and after the earliest period allowed by law.

PASSED: Sept 27, 2022

APPROVED: Sept. 27, 2022



Kim A. Thomas, Mayor



Bobby Jordan
President of Council

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council

EXHIBIT A
BID FORM

2018 City of Richmond Heights - Residential Solid Waste Collection, Disposal and Recycling Services

BID FORM 3
Pricing for Collection, Disposal and Recycling

Indicate prices in dollars and cents for each of the services below.

	Automated Collection Residential Solid Waste and Recyclables (Approx. 3,360 Residential Units)	Automated Collection Residential Solid Waste (Approx. 3,360 Residential Units)	Solid Waste Disposal (Approx. 4,039 tons per year)	Recyclables Collection and Recycling Services Only *(see instructions below) (Approx. minimum of 189 tons per year)
Contract Year	<u>Price per Residential Unit</u> <u>per month</u> to collect Solid Waste and Recyclable Materials (including the costs of providing Wheeled Carts for Solid Waste and Recycling).	<u>Price per Residential</u> <u>Unit per month</u> to collect Solid Waste only (including the cost of providing Wheeled Carts).	<u>Price per ton</u> to dispose of solid waste, including but not limited to all local, county and state fees, and environment fees.	<u>Price per ton</u> to process recyclables (Year 1 only.)
Year 1: 1/1/19 - 12/31/19	<u>\$ 10.89</u>	<u>\$ 8.45</u>	<u>\$ 45.00</u>	<u>\$ 63.00</u>
Year 2: 1/1/20 - 12/31/20	<u>\$ 11.24</u>	<u>\$ 8.72</u>	<u>\$ 46.46</u>	xxx
Year 3: 1/1/21 - 12/31/21	<u>\$ 11.61</u>	<u>\$ 9.01</u>	<u>\$ 47.97</u>	xxx
Option Year 1: 1/1/22 - 12/31/22	<u>\$ 11.99</u>	<u>\$ 9.30</u>	<u>\$ 49.53</u>	xxx
Option Year 2: 1/1/23 - 12/31/23	<u>\$ 12.38</u>	<u>\$ 9.60</u>	<u>\$ 51.14</u>	xxx

*** Recycling Pricing Instructions**

The City recognizes that recycling market conditions are unstable at this time and future market conditions are difficult to predict. Therefore, the City is including a pricing option for recyclables collection and recycling services only. For Year 1 of the contract, bidders are instructed to include a fixed price per ton to be charged the City and must explain how this charge was calculated.

Bidders must attach a sheet to this Bid Form that contains the explanation of this calculation. This calculation will be used to establish the recyclables collection and recycling services price for subsequent contract years and renewal years.

*XXX WASTE MANAGEMENT EXCEPTION XXX
EXTENSION YEARS ARE UPON MUTUAL
CONSENT OF BOTH PARTIES*