

RESOLUTION NO.: 62-2007
INTRODUCED BY: O'Toole

**A RESOLUTION CONFIRMING THE EXERCISE OF TWO OPTION
YEARS FOR A SOLID WASTE COLLECTION AND DISPOSAL
CONTRACT WITH REPUBLIC WASTE SERVICES OF OHIO
HAULING, LLC; EXTENDING SAID CONTRACT THROUGH AUGUST
31, 2007; AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to Resolution No. 61-2002 of this Council, the City of Richmond Heights entered into a contract with Republic Waste Services of Ohio Hauling, LLC ("Republic") to perform solid waste collection and disposal services for the City of Richmond Heights for a term beginning July 1, 2002 through June 30, 2005, which contract provided for two additional option years of the contract exercisable at the sole discretion of the City (hereinafter the "Contract"); and

WHEREAS, through inadvertent oversight, authorized notice was not given to Republic for the exercise of the two option years which would run from July 1, 2005 through June 30, 2007 under the terms set forth in the Contract as executed between the parties; and

WHEREAS, this Council desires to confirm the exercise of the two option years as set forth in the Contract for the period of July 1, 2005 through June 30, 2007, and Republic has performed under the Contract up to the date of the passage of this Resolution; and

WHEREAS, it is necessary to extend the aforesaid contract at a higher per month per household charge from July 1, 2007 through August 31, 2007 in order to continue to maintain solid waste collection and disposal services in furtherance of the public health, safety and welfare of the residents of the City and in order to have sufficient time to publicly bid the contract for such services going forward from September 1, 2007.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: This Council hereby confirms and authorizes the exercise of each of the option years set forth in the "Solid Waste Collection, Disposal and Recycling Contract" with Republic as originally authorized by Resolution No. 61-2002 of this Council, passed and effective on June 25, 2002, under the terms set forth in said Contract which option terms shall run through June 30, 2007.

Section 2: The term of the Contract set forth in Section 1 of this Resolution shall be extended from July 1, 2007 through August 31, 2007 under the terms of said Contract, except

that the compensation to be paid to Republic under the Contract shall be a combined price for both collection and disposal of solid waste of \$9.57 per month per household. A written agreement memorializing the extension of the term as set forth in this Section 2 shall be executed by the parties.

Section 3: The Mayor of the City is hereby authorized and directed to execute the extension agreement referred to in Section 2 of this Resolution on behalf of the City and the Director of Finance is authorized and directed to appropriate to a proper account the sums sufficient to cover the cost of said agreement.

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 hereby declared to be an emergency measure immediately necessary to preserve the public health, safety and general welfare of the citizens of the City and for the further reason that this Resolution is required to be immediately effective to provide solid waste collection and disposal services which is to eliminate existing and potential hazards to the health, safety and welfare the residents and visitors of the City; wherefore this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council