

RESOLUTION NO.: 98-2016  
INTRODUCED BY: Kumin

**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. 73-2012 of this Council, which Contract commenced on January 1, 2013, and was to expire by its terms on January 1, 2016, the City reserved the exclusive right to accept or reject one or all of three, one-year options to renew; and

WHEREAS, this Council exercised the first option year under the Contract by adoption of Resolution No. 96-2015, passed on October 27, 2015; and

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

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 4 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. 73-2012 of this Council, in the amounts set forth on Proposal Bid Form 4 of the Contract. Pursuant to said Contract, the second option year shall commence on January 1, 2017, and end at midnight on January 1, 2018, 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, 2017.

Section 3: The Clerk is directed to cause a copy of this Resolution to be delivered to Waste Management of Ohio, Inc. by October 30, 2016.

Section 3: 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 4: This Resolution is determined to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Richmond Heights and for the further reason that this option to renew must be exercised at least 60 days prior to the Contract term expiring; and, therefore, shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED:\_\_\_\_\_

\_\_\_\_\_  
David H. Roche, Mayor

APPROVED:\_\_\_\_\_

ATTEST:\_\_\_\_\_

Betsy Traben  
Clerk of Council

Eloise Cotton-Henry  
President of Council