

VILLAGE OF BENTLEYVILLE

ORDINANCE NO: 2017-39
INTRODUCED BY: ESPOSITO

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT EXTENSION WITH WASTE MANAGEMENT OF OHIO, INC. FOR AN ADDITIONAL THREE (3) YEARS BEGINNING JANUARY 1, 2018 THROUGH DECEMBER 31, 2020 AND DECLARING AN EMERGENCY.

WHEREAS, Waste Management of Ohio, Inc. has submitted a contract extension to the Village for the collection and disposal of refuse and recyclable materials for an additional three (3) years beginning January 1, 2018 through December 31, 2020; and

WHEREAS, this matter went for bid in 2014 and such bid specifications included a renewal option. Council has determined that Waste Management of Ohio, Inc. is the lowest and best bidder for the service.

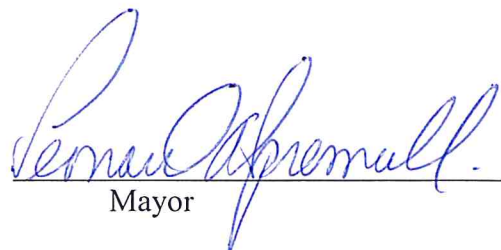
NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Bentleyville, Ohio, County of Cuyahoga, State of Ohio, that:

Section 1. The Mayor is hereby authorized to enter into a contract extension (attached) with Waste Management of Ohio, Inc. for an additional three (3) years beginning January 1, 2018 through December 31 2020.

Section 2. 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 any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including the applicable sections of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, or safety of the inhabitants of the Village and for the further reason that the Village wants to enter into a contract with Longo Sewer Construction, Inc., as soon as possible.

Passed: 11.15.2017

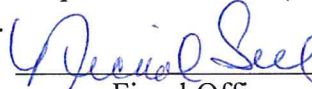


Mayor

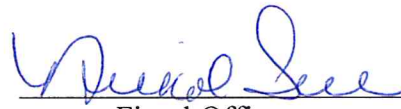
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I, the undersigned, Fiscal Officer of the Village of Bentleyville, hereby certify that there no newspaper published or having an office of publication in the same Village and that I published the foregoing Ordinance by posting the same in five (5) of the most public places of said Village, as defined by Ordinance of Council, for a period of fifteen (15) days, beginning the date following passage and signature by the Mayor.


Fiscal Officer

I, the undersigned, Fiscal Officer of the Village of Bentleyville, hereby certify that the foregoing is a true copy of Ordinance 2017-39 duly enacted by the Council of said Village on November 15, 2017.


Fiscal Officer

**AMENDMENT TO REFUSE AND RECYCLABLE MATERIAL
COLLECTION AND DISPOSAL SERVICE AGREEMENT**

This Amendment to Refuse and Recyclable Material Collection and Disposal Service Agreement ("Amendment") is entered into this 15th day of November, 2017, by and between the Village of Bentleyville, Ohio (the "Village"), and Waste Management of Ohio, Inc. ("WMO") (the Village and WMO jointly referred to as the "Parties").

WITNESSETH

WHEREAS, the Parties executed an agreement for the collection and disposal of refuse and recyclable materials, with an initial term from January 1, 2015 through December 31, 2017, with extension options to be agreed mutually by the Parties (the "Agreement"); and

WHEREAS, the Parties now wish to extend the Agreement for an additional three (3) years through December 31, 2020, on the same terms and conditions as described in the Agreement.

NOW, THEREFORE, in exchange for the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the Parties agree as follows:

1. Section 8 of the Agreement shall be amended to extend the term of the Agreement for an additional three (3) years, from January 1, 2018 to December 31, 2020.
2. All other terms of the Agreement are hereby ratified, confirmed and remain unchanged except as stated herein.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date first written above.

VILLAGE OF BENTLEYVILLE

By: _____

Title: _____

Ronald A. Brumell

Mayor

WASTE MANAGEMENT OF OHIO, INC.

By: _____

Title: _____

By: _____

Title: _____