

ORDINANCE NO. 91-2020 (MS), *Second Reading*

By Council Member Dunbar

An Ordinance authorizing the City Manager to enter into an agreement for recycling processing services between the City of Cleveland Heights and Kimble Company, and declaring an emergency.

WHEREAS, pursuant to Ordinance No. 49-2015 and Section 171.13 of the City's Codified Ordinances, the City of Cleveland Heights participated in the Consortium organized by the Cuyahoga County Solid Waste District and comprised of the communities of Beachwood, Cleveland Heights, Highland Hills, Independence, Lyndhurst, Moreland Hills, Pepper Pike, Shaker Heights, Solon, University Heights and Woodmere, to request bids for the processing of recyclables collected within the participating communities; and

WHEREAS, on behalf of the Consortium, the Cuyahoga County Solid Waste District advertised an Invitation to Bid for Recycling Processing Services in The Plain Dealer on May 31, 2020 and June 3, 2020; and

WHEREAS, on June 26, 2020, bids were received from four (4) companies and publicly opened; and

WHEREAS, on July 14, 2020 representatives from the Consortium communities met to review the bids and select the lowest and best bidder; and

WHEREAS, following the bid review, the Consortium communities, including the City of Cleveland Heights, determined that Kimble Company submitted the lowest and best bid and that therefore it is in the best interest of the City of Cleveland Heights to award a contract to Kimble Company for recycling processing services for the term to commence October 1, 2020.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. This Council hereby approves the recommendation of the Consortium to select the bid submitted by Kimble Company as the lowest and best and to award the contract to Kimble Company to provide recycling processing services for the City of Cleveland Heights.

SECTION 2. This Council hereby authorizes the City Manager to deliver to Kimble Company a copy of this Resolution, which will serve as a Notice of Award, and to execute, on behalf of the City of Cleveland Heights, an *Agreement for Recycling Processing Services* substantially in accordance with the form, terms and conditions of the Agreement attached hereto as Exhibit A and incorporated by reference.

SECTION 3. It is found and determined that all formal actions and deliberations of Council and its committees relating to the passage of this legislation that resulted in formal action were in meetings open to the public as required by the Codified Ordinances of the City.

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SECTION 4. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the inhabitants of the City of Cleveland Heights, such necessity existing for the further reason that it is necessary to authorize the execution of the agreement with Kimble Company as soon as possible so that the City will realize savings on recycling processing services to be provided to the Consortium communities. Wherefore, provided it receives the affirmative vote of five (5) or more members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

JASON S. STEIN, Mayor
President of the Council

AMY HIMMELEIN
Acting Clerk of Council

PASSED: September 21, 2020