

ORDINANCE NO. 23-079

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BROWNING-FERRIS INDUSTRIES OF OHIO, INC. D.B.A. REPUBLIC WASTE SERVICES OF SANDUSKY, OHIO, FOR THE 2023 YARD WASTE COLLECTION SERVICE WHICH IS AVAILABLE FOR THE PERIOD OF APRIL 1, 2023 THROUGH DECEMBER 31, 2023; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, since 2004, the City has offered a yard waste collection service for a monthly fee (labor, disposal, and administration) that is added to participating customer's water and sewer bills; and

WHEREAS, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid for one (1) day per week service from Browning-Ferris Industries of Ohio, Inc. d.b.a. Republic Waste Services of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, this contract is for the period of April 1, 2023, through December 31, 2023, and since the vendor declined to hold this price for two (2) additional years, the City will go out for bid again next year; and

WHEREAS, the estimated cost of this program based upon service for a one (1) day per week pickup at a cost of \$15.00 per month per residence and a contract for (9) months is \$87,075.00 (based on 2022 enrollment of 645 customers) which will be charged back to the customers in addition to a charge of \$0.50 per month for administrative costs and is subject to change due to additions and deletions of customers in the program; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow Browning Ferris Industries of Ohio, Inc. d.b.a. Republic Waste Services to begin the program on April 1, 2023; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a contract with Browning-Ferris Industries of Ohio, Inc. d.b.a. Republic Waste Services of Sandusky, Ohio, for the 2023 Yard Waste Collection Service for the period of April

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1, 2023, through December 31, 2023, at a cost of Fifteen and 00/100 Dollars (\$15.00) per month per residence opting into the program, consistent with the bid submitted by Browning-Ferris Industries of Ohio, Inc. dba Republic Waste Services of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: March 27, 2023