



# ROSS TOWNSHIP RESOLUTION

## RESOLUTION NUMBER 2015-049

### RESOLUTION ACCEPTING BID FOR WASTE AND RECYCLING CONTRACT WITH RUMPKE OF OHIO AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE THE AGREEMENT

**WHEREAS,** a Resolution authorizing the Ross Township Administrator to investigate the possible creation of a waste district on behalf of Ross Township was passed by the Ross Township Board of Trustees on January 22, 2015 under Ross Township Resolution Number 2015-008; and

**WHEREAS,** that investigation led to the preparation of a joint request for bids proposal in collaboration with Springfield and Colerain Townships for the collection, transfer, and disposal of solid waste by an independent contractor; and

**WHEREAS,** a Resolution to proceed on said joint request for bids with Springfield and Colerain Townships was passed by the Ross Township Board of Trustees on April 2, 2015 under Ross Township Resolution Number 2015-019; and

**WHEREAS,** a joint request for bids was submitted by the above listed Townships on April 6, 2015; and

**WHEREAS,** bids were submitted on May 15, 2015 by Rumpke of Ohio, Best-Way and Republic; and

**WHEREAS,** a Special Meeting of the Ross Township Board of Trustees was held on June 9, 2015 to allow the public to have input into the company whose bid was the lowest responsive and responsible bid; and

**WHEREAS,** the Ross Township Board of Trustees has considered all the bids, public input at the Special Meeting, and all other available information to determine the lowest and most responsive bidder;

**NOW, THEREFORE, BE IT RESOLVED** by the Trustees of Ross Township, Butler County, Ohio, as follows:

#### **SECTION 1-A:**

That the Ross Township Board of Trustees hereby accepts the bid of Rumpke of Ohio and finds that the bid of Rumpke of Ohio is the lowest responsive and responsible bid.

**SECTION 1-B:**

That the Ross Township Board of Trustees authorizes the Township Administrator to enter into an agreement with Rumpke of Ohio consistent with the terms and conditions of the bid submitted by Rumpke of Ohio, substantially in the form of the document attached hereto as Exhibit "A", subject to modifications approved by the Township Legal Council on terms not adverse to the Township.

**SECTION 2:**

This resolution shall take effect on August 20, 2015 following the filing of this resolution with the Ross Township Fiscal Officer.

**SECTION 3:**

It is hereby determined that all formal actions of the Board of Trustees relating to the adoption of this Resolution were taken in an open meeting of the Board of Township Trustees and that all deliberations of such Board of Trustees were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.


**INTRODUCTION AND VOTE RECORD:**


Trustee Willsey introduced the foregoing Resolution and moved its adoption, Trustee Wurzelbacher seconded the Motion. The roll being called upon the question of adoption of the Resolution by the Township Fiscal Officer, the vote resulted as follows:

Trustees: Willsey Aye Wurzelbacher Aye Yordy Aye

Adopted at the meeting of the Ross Township Board of Trustees this 20<sup>th</sup> day of August, 2015.

  
\_\_\_\_\_  
Thomas Willsey, President

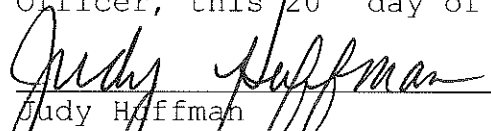
  
\_\_\_\_\_  
Raymond Wurzelbacher, Vice President

  
\_\_\_\_\_  
Ellen Yordy, Trustee

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**AUTHENTICATION**

This is to certify that this resolution was duly adopted by the Board of Trustees, and filed with the Ross Township Fiscal Officer, this 20<sup>th</sup> day of August, 2015.

  
\_\_\_\_\_  
Judy Hoffman  
Ross Township Fiscal Officer

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AGREEMENT

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by and between the TOWNSHIPS OF COLERAIN AND SPRINGFIELD, Hamilton County, Ohio, and ROSS TOWNSHIP, Butler County, Ohio, hereinafter called "Townships" and \_\_\_\_\_, doing business as (an individual) or (a partnership) or (a corporation), hereinafter called "Contractor".

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The Contractor shall provide all labor, materials, and supervision necessary to complete the project in a timely and professional manner.
2. The Contractor will provide Residential Solid Waste & Recycling Collection, Disposal & Processing for a five year period as stated in the Contract Documents unless the period for completion is otherwise modified by the Contract Documents.
3. Terms used in the Agreement which are defined in the Contract Provisions, if included in the Contract Documents, shall have the meanings indicated in the Contract Provisions.
4. The term "Contract Documents" means and includes the following, but shall not be limited to:
  - A. Invitation to Bidders
  - B. Legal Notice
  - C. Bid Proposal
  - D. Bid Bond
  - E. Performance Bond
  - F. Bid Forms 1 through 9
  - G. Non-Collusion Affidavit
  - H. Notice of Award
  - I. Notice to Proceed
  - J. Instructions to Bidders
  - K. Contract Provisions
  - L. Agreement
  - M. Specifications
  - N. Addendums
5. The Contractor agrees to complete the project as described in the Contract Documents as shown on the Bid Proposal.

6. Neither the Owner nor the Contractor shall, without the prior written consent of the other, assign or sublet in whole or in part his interest under any of the Contract Documents, and specifically, the Contractor shall not assign any monies due or to become due without the prior written consent of the Owner.
7. The Contract Documents constitute the entire Agreement between the Owner and the Contractor and may only be altered, amended or repealed by a duly executed written instrument.
8. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors and assigns.

**IN WITNESS WHEREOF**, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in duplicate, each of which shall be deemed an original on the date first above written.

**OWNERS**

COLERAIN TOWNSHIP	ROSS TOWNSHIP	SPRINGFIELD TOWNSHIP
By:	By:	By:
James Rowan, Administrator 4200 Springdale Road Colerain Township, OH 45251 513-923-5005	Robert Bass, Administrator 3133 Hamilton Cleve Road, Hamilton, OH 45013	Michael Hinnenkamp, Administrator 9150 Winton Road Cincinnati, OH 45231 513-522-1410
<b>CONTRACTOR</b>		
ORGANIZATION		
AUTHORIZED SIGNATURE	By:	
CONTACT NAME , ADDRESS AND PHONE NUMBER		