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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 85 - 2013
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8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 PUBLIC SERVICE TO ENTER INTO A CONTRACT
11 WITHOUT COMPETITIVE BIDDING WITH THE
12 KIMBLE COMPANY, INC. TO EXTEND THE TERM OF
13 CITY CONTRACT NO. 6432 FOR A PERIOD OF NOT
14 TO EXCEED FOUR ADDITIONAL YEARS, AND
15 DECLARING AN EMERGENCY.
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17 WHEREAS, pursuant to the authority of Ord. No. 117-2008, the City, after
18 competitive bidding, entered into City Contract No. 6432 on December 29, 2008
19 with Penn-Ohio Coal Co., Inc. dba Kimble Transfer & Recycling (nka the Kimble
20 Company, Inc.) for the disposal of municipal solid waste for a period of five
21 years; and
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23 WHEREAS, the Kimble Company has proposed to the extend the term of the
24 contract pursuant to its proposal dated October 22, 2013; and
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26 WHEREAS, Section 2 of the City Charter, adopted pursuant to Art. XVIII,
27 Sections 3 and 7 of the Ohio Constitution, authorizes this Council to make
28 exception to the competitive bidding procedures set forth in the Revised Code,
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30 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
31 Cuyahoga Falls, County of Summit, and State of Ohio, that:
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33 Section 1. The Director of Public Service is hereby authorized to enter into
34 an extension of City Contract No. 6432, with the Kimble Company, Inc., without
35 competitive bidding, for the disposal of municipal solid waste, on the basis of its
36 proposal dated October 22, 2013, for a period not to exceed four additional
37 years.
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39 Section 2. The Director of Finance is hereby authorized and directed to
40 make payment for same from Sanitation Fund, line item Other.
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42 Section 3. Any ordinances or resolutions or portions of ordinances and
43 resolutions inconsistent herewith are hereby repealed, but any ordinances and
44 resolutions not inconsistent herewith and which have not previously been
45 repealed are hereby ratified and confirmed.
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47 Section 4. It is found and determined that all formal actions of this
48 Council concerning and relating to the passage of this ordinance were taken in
49 an open meeting of this Council and that all deliberations of this Council and of
50 any committees that resulted in those formal actions were in meetings open to

51 the public, in compliance with all legal requirements including Chapter 107 of
52 the Codified Ordinances.


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54 Section 5. This ordinance is hereby declared to be an emergency
55 measure necessary for the preservation of the public peace, health, safety,
56 convenience and welfare of the City of Cuyahoga Falls and the inhabitants
57 thereof, and provided it receives the affirmative vote of two-thirds of the
58 members elected or appointed to Council, it shall take effect and be in force
59 immediately upon its passage and approval by the Mayor; otherwise it shall
60 take effect and be in force at the earliest period allowed by law.

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63 Passed: 12-9-13




President of Council

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68 Clerk of Council



Clerk of Council

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71 Approved 12/10/13



Mayor

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75 11/25/13
76 O:\2013ords\solid waste disposal contract extension