

TOWN OF GOLDEN BEACH, FLORIDA

RESOLUTION NO. 2146.10

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING AN AMENDED AND RESTATED AGREEMENT WITH WASTE SERVICES OF FLORIDA, INC. FOR RESIDENTIAL COLLECTION OF RECYCLABLE MATERIALS; PROVIDING FOR WAIVER OF COMPETITIVE BIDDING; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Industrial Waste Services, Inc. dba Community Recycling and the Town entered into that certain agreement on the 14th day of February, 1994 (the "Prior Agreement") pursuant to which Community Recycling provided residential collection of recyclable materials; and

WHEREAS, the Prior Agreement was assigned to Browning Ferris Industries of Florida Inc ("BFI"), with the consent of the Town effective January 9, 1996; and

WHEREAS, Waste Services of Florida, Inc. (the "Contractor") acquired certain assets of BFI including the Prior Agreement effective April 5, 2007; and

WHEREAS, the Town and Contractor wish to enter into an Amended and Restated Agreement for the residential collection of recyclable materials, attached hereto as Exhibit "A" to this Resolution (the "Amended and Restated Agreement"); and

WHEREAS, the Town Council finds that it is impractical to competitively bid the work; and

WHEREAS, the Town Council has determined that it is in the best interests of the Town to approve the Amended and Restated Agreement with the Contractor.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AS FOLLOWS:

Section 1. Recitals Adopted. Each of the above stated recitals are hereby adopted, confirmed and incorporated herein.

Section 2. Authorization and Approval. The Town Council hereby authorizes and approves the Amended and Restated Agreement with the Contractor attached hereto as Exhibit "A" (the "Amended and Restated Agreement").

Section 3. Waiver of Competitive Bidding. Pursuant to the Town's Ordinance No. 540.09, the Town Council hereby finds that it is impractical to competitively bid the work and waives the applicable bidding requirement.

Section 4. Implementation. The Town Mayor and Town Manager are hereby authorized to take any and all action necessary to implement this Resolution in accordance with its terms and conditions.

Section 5. Effective Date. This Resolution shall be effective immediately upon adoption.

The Motion to adopt the foregoing Resolution was offered by Councilmember Lusskin, seconded by Councilmember Bernstein and on roll call the following vote ensued:


Mayor Glenn Singer	<u>Aye</u>
Vice Mayor Bernard Einstein	<u>Aye</u>
Councilmember Kenneth Bernstein	<u>Aye</u>
Councilmember Judy Lusskin	<u>Aye</u>
Councilmember Amy Rojas	<u>Aye</u>

PASSED AND ADOPTED by the Town Council of the Town of Golden Beach, Florida, this
14th day of December, 2010.




MAYOR GLENN SINGER

ATTEST:



LISSETTE PEREZ
INTERIM TOWN CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



STEPHEN J. HELFMAN
TOWN ATTORNEY