

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA, AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXERCISE THE SECOND RENEWAL OPTION OF THE AGREEMENT BETWEEN BIOSOLIDS DISTRIBUTION SERVICES, LLC AND THE CITY OF HOLLYWOOD FOR REMOVAL AND DISPOSAL OF BIOSOLIDS FOR A FIVE YEAR PERIOD AND FOR AN ESTIMATED ANNUAL EXPENDITURE OF \$1,300,000.00.

WHEREAS, the Department of Public Utilities requires an Agreement with a qualified firm for the removal and disposal of Waste Activated Biosolids at the Wastewater Treatment Plant; and

WHEREAS, on March 17, 2004, the City Commission authorized the negotiation and execution of an Agreement with Schwing Bioiset Technologies, Inc., ("Schwing") via Resolution R-2004-90 for the Design/Build of an on-site Treatment Facility to include Removal and Disposal of Waste Activated Biosolids; and

WHEREAS, on July 22, 2004, Schwing and the City of Hollywood, Florida entered into a Biosolids Hauling Agreement ("Agreement") requiring Schwing to provide biosolids hauling and disposal services to the City; and

WHEREAS, the initial term of the Agreement was for five (5) years commencing on the completion of construction of the biosolids treatment facility at the Wastewater Treatment Plant and includes the option to renew for three (3) additional five (5) year periods based on the mutual agreement of the parties; and

WHEREAS, on December 31, 2004, Schwing assigned all of its rights, title and interest in the Agreement to Biosolids Distribution Services, LLC ("BDS"); and

WHEREAS, on February 3, 2010, the City Commission authorized a First Amendment to the Agreement via Resolution R-2010-024, which renewed the Agreement with BDS for the first five (5) year renewal period and amended certain provisions; and

WHEREAS, the Agreement shall be effective until February 14, 2015 and the City has provided the required notification of its intent to renew; and

WHEREAS, the Director of Public Utilities and the Director of Procurement Services recommend that the City Commission approve the attached Blanket Purchase Order to Biosolids Distribution Services, LLC of North Branch, Minnesota, for the removal and disposal of waste activated biosolids for the second five (5) year renewal period with

an option to renew for one (1) additional five (5) year period remaining, in an estimated annual amount of \$1,300,000.00; and

WHEREAS, award is subject to the City's receipt and approval of all insurance certificates required by the City's Risk Manager; and

WHEREAS, funding for the attached blanket purchase order has been provided for in the fiscal year 2015 budget in the Department of Public Utilities Waste Disposal Account Number 42.4041.00000.536.004360 and will be budgeted in subsequent fiscal years;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HOLLYWOOD, FLORIDA:

Section 1: That it hereby approves and authorizes the issuance, by the appropriate City Officials, of the attached blanket purchase order between Biosolids Distribution Services, LLC and the City of Hollywood, together with such non material changes as may be subsequently agreed to by the City Manager and approved as to form and legality by the City Attorney.

Section 2: That this resolution shall be in full force and effect immediately upon its passage and adoption.

PASSED AND ADOPTED this _____ day of _____, 2015.

PETER BOBER, MAYOR

ATTEST:

PATRICIA A. CERNY, MMC, CITY CLERK

APPROVED AS TO FORM AND LEGALITY
for the use and reliance of the
City of Hollywood, Florida, only.

JEFFREY P. SHEFFEL, CITY ATTORNEY