

RESOLUTION NO. R-2024-92

APPROVING A CONTRACT WITH TEXAS DISPOSAL SYSTEMS, INC.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, AWARDED AND APPROVING A CONTRACT FOR SOLID WASTE AND RECYCLING SERVICES WITH TEXAS DISPOSAL SYSTEMS, INC.; AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR PROPER NOTICE & MEETING.

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City of Bastrop ("City") has general authority to adopt an ordinance, resolution, or police regulation that is for the good government, peace, or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City of Bastrop ("City") has found and determined that the public health and safety of the City will be promoted and preserved by establishing an arrangement for the collection, transportation, and disposal of residential and commercial solid waste and recycling within the City; and

WHEREAS, pursuant to its authority under Texas Health and Safety Code Chapters 361, 363, and 364, and the City Charter, Article 11, the City entered into its current contract for Solid Waste and Recycling Services, the term of which expires on August 31, 2024; and

WHEREAS, the City issued a Request for Proposals for Solid Waste and Recycling Services (the "RFP") on April 29, 2024 which set forth the terms and conditions pursuant to which the City received proposals for consideration in awarding a new contract to provide such services in the City; and

WHEREAS, Texas Disposal Systems, Inc. ("TDS") timely submitted a proposal in response to the RFP on or before May 30, 2024; and

WHEREAS, the City received and evaluated proposals from vendors in response to the RFP; and

WHEREAS, the City has the power to execute the Contract, attached and incorporated herein as **Exhibit A**; and

WHEREAS, TDS has the power to execute the Contract: and

WHEREAS, the City desires to hire TDS to provide those services specified in the Contract; and

WHEREAS, the City has found and determined that the public health, safety, and vitality of the City will be promoted and preserved by retaining TDS for solid waste and recycling services.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS, THAT:

Section 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Bastrop, Texas, and are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Section 2. Execution: The City Council approves and authorizes the execution of the contract with Texas Disposal Systems, Inc., which is attached and incorporated herein as **Exhibit A**.

Section 3. Severability: Should any of the clauses, sentences, paragraphs, sections, or parts of this Resolution be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Resolution.

Section 4. Repealer: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 5. Effective Date: This Resolution shall be in full force and effect from and after its passage.

Section 6. Proper Notice & Meeting: The City Council hereby finds and declares that written notice of the date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code, as amended.

DULY RESOLVED & ADOPTED by the City Council of the City of Bastrop, TX, on this, the 23rd day of July 2024.

THE CITY OF BASTROP, TEXAS:

Lyle Nelson, Mayor

ATTEST:

Ann Franklin, City Secretary

APPROVED AS TO FORM:

Alan Bojorquez, City Attorney