

RESOLUTION NO. 2021-207

**RESOLUTION DECLARING A DEFAULT OF
SOUTH JERSEY SANITATION/SEASIDE WASTE SERVICES FOR FAILURE TO
PERFORM CONTRACTUAL OBLIGATIONS AND
AUTHORIZING NOTICE OF DEFAULT TO THE SURETY COMPANY**

WHEREAS, the Township of Pennsauken has a Contract for Solid Waste & Recyclables Collection Services with South Jersey Sanitation Company, Inc.(SJS) which commenced on January 1, 2019; and

WHEREAS, the Contract concerns the collection of trash, waste and recyclable materials by SJS from residential properties within the Township, as well as various municipal locations; and

WHEREAS, the Contract was entered into by the Township and SJS after the solicitation of bid proposals from various solid waste collectors; and

WHEREAS, per the Township's Instructions to Bidders, SJS was obligated to provide a performance bond pursuant to the Contract. A performance bond from the surety Hudson Insurance Company was submitted by SJS, for the years 2019, 2020 and 2021; and

WHEREAS, on or about March 1, 2021, the Township was advised that SJS had been sold and the company was rebranded to "Seaside Waste."

WHEREAS, SJS/Seaside Waste has repeatedly failed to perform its contractual duties; and

WHEREAS, the Township has received a myriad of complaints from Pennsauken residents concerning SJS/Seaside Waste's failure to perform their basic contractual duties. SJS/Seaside Waste has repeatedly missed trash pick-ups, recycling pick-ups, yard debris pick-ups, metal pick-ups and has generated a large number of general customer complaints; and

WHEREAS, the Pennsauken Department of Public Works employees have needed to assist SJS/Seaside Waste in the performance of their contractual obligations; and

WHEREAS, the Township hereby declares SJS/Seaside Waste to be in Default under the Contract; and

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Township of Pennsauken, New Jersey, that SJS/Seaside Waste is hereby declared in default of the Contract for Solid Waste & Recyclables Collection Services for failure to perform; and

BE IT FURTHER RESOLVED, that the governing body of the Township of Pennsauken, New Jersey is hereby authorized to provide notice to SJS/Seaside Waste and the surety company of the default of SJS/Seaside Waste.

TOWNSHIP OF PENNSAUKEN

PAMELA SCOTT-FORMAN
ACTING TOWNSHIP CLERK

ADOPTED:

4810-4871-6782, v. 1