



CITY OF PATASKALA

**RESOLUTION 2016-044**

Passed June 20, 2016

**A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE CONTRACT FOR THE COLLECTION, TRANSPORTATION, AND DISPOSAL OF RESIDENTIAL GARBAGE, RECYCLABLES, AND YARD WASTE**

*WHEREAS*, Pataskala Codified Ordinance Chapter 953 provides for an exclusive contract for residential refuse and recycling collection; and

*WHEREAS*, on June 19, 2013, the City of Pataskala and Big 'O' Refuse executed a Contract for the collection, transportation and disposal of trash, recyclable materials and yard waste from residential households within the City ("the Contract"); and

*WHEREAS*, thereafter, Waste Management of Ohio, Inc. acquired Big 'O' Refuse, such that Waste Management of Ohio, Inc. is the successor-in-interest to Big 'O' Refuse's rights and obligations under the Contract; and

*WHEREAS*, the Contract has an initial term of three (3) years (October 1, 2013 through September 30, 2016); and

*WHEREAS*, the Parties now wish to execute an amendment to the Contract, and thereby extend the Contract for an additional three-year period and establish the applicable rates for service during that extension term, all as described on the attached Exhibit A.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

Section 1. The City Administrator is hereby authorized and directed to execute an Amendment to the Contract for the Collection, Transportation, and Disposal of Residential Garbage, Recyclables, and Yard Waste, in substantially the same form and content as the

Amendment attached hereto as Exhibit A and incorporated hereby by reference, with Waste Management of Ohio, Inc.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Pataskala which resulted in such formal actions were in

Section 3: This Resolution shall take effect at and from the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

  
Kathy M. Hoskinson, Clerk

  
Michael W. Compton, Mayor

APPROVED AS TO FORM:

  
Brian M. Zets, Law Director

**AMENDMENT TO CONTRACT FOR  
COLLECTION, TRANSPORTATION AND DISPOSAL OF  
GARBAGE, RECYCLABLES AND YARD WASTE**

This Amendment to Contract for Collection, Transportation and Disposal of Garbage, Recyclables and Yard Waste (“Amendment”) is entered into this      day of June, 2016, by and between the City of Pataskala, County of Licking, Ohio (the “City”), and Waste Management of Ohio, Inc., as successor-in-interest to Big ‘O’ Refuse LLC (“WMOH”) (the City and WMOH shall be referred to jointly as the “Parties”).

**WITNESSETH**

**WHEREAS**, on June 19, 2013, the City and Big ‘O’ Refuse executed a Contract for the collection, transportation and disposal of trash, recyclable materials and yard waste from residential households within the City (hereafter the “Contract”); and

**WHEREAS**, thereafter, Big ‘O’ Refuse was acquired by Waste Management of Ohio, Inc., such that Waste Management of Ohio, Inc. is the successor-in-interest to Big ‘O’ Refuse’s rights and obligations under the Contract; and

**WHEREAS**, the Contract had an initial term of three (3) years from October 1, 2013 through September 30, 2016; and

**WHEREAS**, the Parties now wish to extend the Contract for an additional three-year period, and establish the applicable rates for service during that extension term, all as described herein.

**NOW, THEREFORE**, in exchange for the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and intending to be legally bound, the Parties agree as follows:

1. The term of the Contract shall be extended for a three (3) year period from October 1, 2016 to September 30, 2019.

2. The rates that the City shall pay WMOH for performance of the work of the Contract during the extension years shall be as follows:

- October 1, 2016 thru September 30, 2017 = \$11.43 per residential unit per month;
- October 1, 2017 thru September 30, 2018 = \$11.66 per residential unit per month;
- October 1, 2018 thru September 30, 2019 = \$11.89 per residential unit per month.

3. Pricing for cart rental will remain \$2.75 per cart per month during the term of the extension.

4. All other terms of the Contract are hereby ratified, confirmed and remain unchanged except as stated herein.

**IN WITNESS WHEREOF**, the Parties have executed this Amendment as of the date first written above.

**CITY OF PATASKALA**

**WASTE MANAGEMENT OF  
OHIO, INC.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: City Administrator

Title: \_\_\_\_\_

**APPROVED AS TO FORM:**

By: \_\_\_\_\_

Title: Law Director