

RECORD OF RESOLUTIONS

Resolution No. 34-2023

Passed: September 26, 2023

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT ADDENDUM WITH RUMPKE OF OHIO, INC. TO EXTEND THE CURRENT RECYCLING CONTRACT UNTIL MARCH 31, 2024.

WHEREAS, the current contract with Rumpke to provide curbside recycling to residents and small businesses in the community expired in March, 2023, and:

WHEREAS, Rumpke agreed to extend the contact at that time for a six-month period to allow time for the Service Director to prepare formal bid documents at a rate of \$4.00 per customer, per month, until September 30, 2023, and;

WHEREAS, the Service Director has requested and Rumpke has agreed to an additional six-month extension at a rate of \$4.50 per customer, per month until March 31, 2024.

WHEREAS, it is the desire of the majority of the City Council to authorize the City manager to approved the attached addendum, which can be terminated by either party with 30 days written notice.

NOW, THEREFORE, BE IS RESOLVED BY THE COUNCIL OF THE CITY OF WEST CARROLLTON, OHIO, THAT:

Section 1: the City Manager is hereby authorized to sign the attached extension addendum to the contract with Rumpke of Ohio, Inc, for curbside recycling services.

Section 2: this resolution shall be in full force and effect from and after its date of passage.

Passed: September 26, 2023



Mayor

Attest: Gray Moore
Clerk of Council

Effective Date: September 26, 2023

ADDENDUM

This document serves to add the following to the contract dated January 1, 2006 (the "Contract") between the City of West Carrollton, Ohio (the "City") and Rumpke of Ohio, Inc. (the "Contractor").

It is hereby agreed as follows:

Effective October 1, 2023 and continuing through March 31, 2024 Rumpke shall continue to provide one (1) time per week curbside recycling collection for all residential units within the City of West Carrollton on the same day as their regular trash collection. Rumpke will provide a 65-gallon recycling cart to residents at no additional charge. Additional recycle carts will be billed directly to the City of West Carrollton at the rate of \$3.50 each per month. Rumpke shall invoice the City monthly basis at the rates listed below:

October 1, 2023 – March 31, 2024: \$4.50 per unit per month

Either the City or Rumpke may terminate this contract upon thirty (30) days written notice to the other party.

All other terms and conditions of the original contract dated January 1, 2006 shall remain unchanged.

In the event that either party is unable to perform any of its obligations under this contract or to enjoy any of its benefits because of (or if failure to perform the services is caused by) war, Acts of God, natural disaster (such as floods, earthquakes, tornadoes, hurricanes, blizzards, windstorms, high water table, unusually severe weather), fires, quarantine, labor disputes or strikes, explosion, shortage or failure in the supply of fuel, electric current or other public utility not caused by Contractor's actions, actions or decrees of governmental bodies not caused by Contractor's actions, or any other cause beyond the

control of the parties (hereinafter referred to as a "Force Majeure Event"), the party who has been so affected shall immediately give notice to the other party. Upon receipt of notice, all obligations under this contract shall be immediately suspended. If the period of nonperformance exceeds thirty (30) days from the receipt of notice of the Force Majeure Event, either party may terminate this contract.

The term of this contract extension shall be for six (6) months effective October 1, 2023 and continuing through March 31, 2024. This contract may be renewed for additional option periods upon mutual written agreement of both parties.

**CITY
WEST CARROLLTON, OHIO**

Brad J. Jansel
Title: *City Manager*

Tracy Moore
Witness

09-26-2023
Date

RUMPKE OF OHIO, INC.

William J. Rumpke Jr
William J. Rumpke, Jr., President

Yvonne Schueler
Witness

8/30/23
Date