

Resolution 1823



Energy, materials, recycling and disposal done right.
3596 STATE ROUTE 39 NW
DOVER, OHIO 44622
PHONE: (330) 343-1226 FAX: (330) 343-7560

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August 2, 2018

Mayor Rick Dorland
City of Uhrichsville
305 East Second Street
Uhrichsville, OH 44683

RE: ***EXTENSION OF REFUSE AND RECYCLING AGREEMENT***

Dear Mayor Dorland:

Kimble Recycling & Disposal, Inc., ("Kimble") is pleased to provide the City of Uhrichsville ("City") with the following proposed Extension Agreement for the extension of our existing Contract for Refuse and Recycling Collection:

WHEREAS, Kimble and the City originally entered into an agreement (attached hereto as Attachment A) for the collection of Refuse and Recycling on October 1, 2014, covering the period of October 1, 2014 through September 30, 2018 (hereinafter "Contract");

WHEREAS, the Contract grants the City the option to extend the Contract for up to five (5) additional years from October 1, 2018 through September 30, 2023.

WHEREAS, the Contract will expire on September 30, 2018 and the City desires to exercise all extension options to extend the existing term of the Contract until September 30, 2023 as provided herein;

WHEREAS, the parties acknowledge the disposal of residential refuse and recyclables within the City is a matter of public safety and public health and that this Contract Extension is necessary to preserve said public health and safety.

NOW THEREFORE, in consideration of the promises and mutual covenants contained herein and in the Contract, the parties agree as follows:

1. All of the terms, conditions, exhibits, attachments and provisions contained in the Contract are hereby incorporated by reference and shall continue in full force and effect, the same as if they were set forth herein verbatim, except the following terms which shall supersede any conflicting terms in the Contract:
 - a. **Extended Term.** The term of the Contract shall be extended from October 1, 2018 until September 30, 2023 ("Extended Term");
 - b. **Price.** The price for services from October 1, 2018 until September 30, 2019 shall be as follows:

Regular Service \$11.67 per month per subscriber;
Bag Program \$4.29 per month plus cost of bags per subscriber.
Said prices are subject to the annual CPI escalation provisions in paragraph 11 of the Contract.
 - c. **Terms.** All other terms of the Contract not modified herein shall remain binding on the parties during the original term and the Extended Term.
2. All recitals to this Extension Agreement are hereby incorporated by reference and made a part of this Extension Agreement.
3. There are no other terms and conditions governing the matters herein addressed except those expressly contained herein.
4. All defined terms not otherwise defined in this Extension Agreement shall have the meaning set forth in the Contract.

Should you have any questions regarding this proposed contract extension, or require further information, please feel free to contact me at 330-343-1226 ext. 2345.

Sincerely,

Scott Walter
Kimble Recycling & Disposal, Inc.

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ACCEPTANCE OF EXTENSION OF REFUSE AND RECYCLING AGREEMENT

The undersigned hereby accept the terms of this EXTENSION OF REFUSE AND RECYCLING AGREEMENT as prepared and presented to the CITY OF UHRICHSVILLE this 23 day of August, 2018. By signing the acceptance of this EXTENSION OF REFUSE AND RECYCLING AGREEMENT, the individuals warrant that they have the authority to bind the respective parties in this agreement.

Accepted By:

CITY OF UHRICHSVILLE

KIMBLE RECYCLING & DISPOSAL, INC.

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

CERTIFICATE OF AVAILABILITY OF FUNDS

The undersigned Treasurer hereby certifies that the money required to meet this Contract has hereby been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of this fund, free from any previous obligation or certification as required by Ohio Revised Code §5705.01 to §5705.47.

Julie Pearch, Auditor

8.23.18
Date

Julie Pearch
Print Name

Passed: 8/23/18

MLH
Mark Haney, President

Attest:

Trisha Addison
Trisha Addison, Clerk

Richard Dorland
Richard Dorland, Mayor