

RESOLUTION NO. 2014-09

A RESOLUTION APPROVING AND AUTHORIZING THE EXECUTION OF THE FIRST AMENDMENT TO CONTRACT FOR SOLID WASTE COLLECTION BETWEEN DEFFENBAUGH INDUSTRIES INC. AND THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS

WHEREAS, the parties have previously entered into a Contract for Solid Waste Collection within the City; and

WHEREAS, the City is permitted by Kansas law to enter into an exclusive contract with Deffenbaugh Industries, Inc. for the collection of solid waste within the corporate boundaries of the City; and

WHEREAS, the Governing Body now desires to extend the Contract for Solid Waste Collection with Deffenbaugh Industries, Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS:

Section 1. That the Governing Body approves and hereby authorizes the Mayor to execute the First Amendment to Contract for Solid Waste Collection, attached as Exhibit A.

Section 2. That this resolution shall become effective upon passage.

ADOPTED by the Governing Body this 21st day of July, 2014.

SIGNED by the Mayor this 21st day of July, 2014.

SEAL




David K. Breuer, Mayor

ATTEST:


Katherine M. Renn, City Clerk

APPROVED AS TO FORM:


Shannon M. Marcano, City Attorney

EXHIBIT A

First Amendment to Contract for Solid Waste Collection

FIRST AMENDMENT TO CONTRACT FOR SOLID WASTE COLLECTION

This First Amendment to Contract for Solid Waste Collection, made and entered into this ____ day of _____, 2014, to be effective January 1, 2015, is by and between the City of Basehor, Kansas (the "City") and Deffenbaugh Industries, Inc. (the "Contractor").

WITNESSETH:

WHEREAS, the parties have previously entered into a Contract for Solid Waste Collection within the City; and

WHEREAS, the City is permitted by Kansas law to enter into an exclusive contract with Contractor for the collection of solid waste within the corporate boundaries of the City; and

WHEREAS, the City now desires to extend the Contract for Solid Waste Collection with Contractor; and

NOW, THEREFORE, in consideration of the mutual promises, covenants and agreements herein contained, the adequacy and sufficiency of which are hereby acknowledged, the parties hereto mutually promise, covenant and agree as follows:

1. Term. The Contract for Solid Waste Collection shall be extended for a period of five (5) years, to December 31, 2019.

2. Residential Rates. Contractor shall provide solid waste collection services as stated in the Contract for Solid Waste Collection at the agreed upon rate of Eleven Dollars and Forty-Five cents (\$11.45) per month for years one (1) and two (2) of the term. Such rate shall be subject to a potential increase in years three (3) and four (4), capped at a three percent (3%) increase. The rate for year three (3) may be increased to Eleven Dollars and Seventy-Nine cents (\$11.79) per month, and the rate for year four (4) may be increased to Twelve Dollars and Fourteen cents (\$12.14) per month. Year five (5) will remain at the year four (4) rate.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Contract for Solid Waste Collection the day and year first written above.



CITY OF BASEHOR, KANSAS

By: _____

Mayor David K. Breier

ATTEST:

Katherine M. Renn

Katherine M. Renn, City Clerk

APPROVED AS TO FORM:

Shannon M. Marcano

Shannon M. Marcano, City Attorney

DEFFENBAUGH INDUSTRIES, INC.

By: _____

Name and Title

STATE OF KANSAS)

) ss.

COUNTY OF LEAVENWORTH)

BE IT REMEMBERED, that on this ____ day of _____, 2014, before me, the undersigned Notary Public in and for the County and State aforesaid, appeared _____ of Deffenbaugh Industries, Inc, to me personally known, who being duly sworn did say that he has the authority to execute the foregoing document and that he acknowledged he fully understands the content and meaning of the within instrument and acknowledges that said instrument is his free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last written above.

Notary Public

My Appointment Expires: _____

Proposal for Disposal Service

City Of Basehor KS

Lloyd,

Thank you for allowing Deffenbaugh Industries the opportunity to present our portfolio of quality services for your review. Deffenbaugh Industries is the largest service provider of waste, recycling and other related services in the Kansas City metro area. Not only do we offer a menu of services that no other provider can match, our larger number of assets and years of experience allow us to recover from incidents and overcome challenges better than anyone. Plus, our industry leading quality of both equipment and employees has kept us as the highest rated service provider in the region.

Service Proposal (same as current rate which has been in place since 2011):

Standard waste collection, once per week, 95 gallon cart included:	\$8.45 per home
Comingled recycling, 65 gallon cart included:	\$3.00 per home
	\$11.45 total per home

Four 95 gallon carts, rental for city use. \$5.75 (Same as current rate).

Term options:

4 year term: No increase year one or year three. Year two and year four subject to potential increase capped at 4%

5 year term: No increase year one or year two or year five. Year three and year four subject to a potential increase capped at 3%.

I encourage you to reference the Better Business Bureau scores for Deffenbaugh and our competition at: <http://kansascity.bbb.org/Business-Search/>. We look forward to showing you and the residents in your care the reasons why Deffenbaugh Industries has achieved the highest score possible.

Thank you again for this opportunity. I am available to respond to any further questions or present our service details in person if desired.

John Blessing

John Blessing
Community Relations Manager
Deffenbaugh Industries
Office# 913.745.1841
Cell# 913.220.8434
jblessing@deffenbaughinc.com



Deffenbaugh
INDUSTRIES

Basehor proposal, Year over Year comparision

<u>4 year term</u>		<u>5 year term</u>	
Year 1=	\$ 11.45	Year 1=	\$ 11.45
Year 2=	\$ 11.91	Year 2=	\$ 11.45
Year 3=	\$ 11.91	Year 3=	\$ 11.79
Year 4=	\$ 12.38	Year 4=	\$ 12.14
		Year 5=	\$ 12.14