

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

_____ Resolution or Ordinance (Blue) _____ Waiver of First Requested
_____ X Recommendations of Boards, Commissions & Committees (Green)
_____ Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: David A. Hulseberg, Village Manager

DATE: May 8, 2012 (COW) (B of T) **Date:** May 17, 2012

TITLE: Solid Waste Contract Amendment for Yard Waste Collection Period

SUBMITTED BY: David P. Gorman, Assistant Director of Public Works *DPG*

BACKGROUND/POLICY IMPLICATIONS:

A recommendation from the Environmental Concerns Committee to amend a contract with Waste Management to shorten the end of the yard waste collection period.

FISCAL IMPACT/FUNDING SOURCE:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X _____	Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the Agenda Distribution.



MEMORANDUM

TO: David A. Hulseberg, Village Manager

THROUGH: Carl Goldsmith, Director of Public Works *CG*

FROM: David Gorman, Assistant Director of Public Works *DG*

SUBJECT: **Contract Amendment for Yard Waste Collection Period**

DATE: May 8, 2012

Staff is forwarding a recommendation from the Environmental Concerns Committee to amend the Solid Waste Contract to shorten the end of the yard waste collection period. Per the Contract, yard waste is collected from the first full week of April through the second full week of December. The Village pays Waste Management to collect bundled brush at no cost to residents during this period.

Based on subsequent discussions with Waste Management, the last two weeks of the yard waste in December could be eliminated to reduce the Village's cost for bundled brush by \$8,600. Thus, the collection would end on the last full week in November. Most other municipalities end their collections at the end of November so Lombard's collection period is unusually long. Waste Management has advised that very little volume is collected in December.

While the Committee found that this change is prudent for wise use of tax monies, it will not make up for the forecasted shortfalls in the Community Recycling Fund of FY12B and FY13 of \$13,800 and \$22,200, respectively. The main reason for the funding shortfall is due to fewer paid refuse accounts due to vacancies, foreclosures and non-payments. The monthly electronics collections will help make up a large portion of the remaining shortfall. However, later this year, the Committee will revisit the question of revenue and expenditures in order to balance the Community Recycling Fund and may propose to reinstate some level of funding for grant programs. Currently, all grant programs in the Community Recycling Fund are unfunded in both FY12B and FY13.

Recommendation:

Staff concurs with the Committee's recommendation that the Board of Trustees approve amending the Solid Waste Contract to change to the end of the yard waste collection period to be the last full week in November. Staff would publicize the change to the collection period in the Fall.

CG\DG:dg H:\PW\Environmental\Refuse & Recycling\2011-2016 Contract\Amendment for Yard Waste Collection Period\BOT - Memo.doc

cc: Tim Sexton, Finance Director
Jamie Cunningham, Asst. Finance Director

RESOLUTION

R__12

**A RESOLUTION AUTHORIZING SIGNATURE OF
PRESIDENT AND CLERK ON AN AGREEMENT**

WHEREAS, the Corporate Authorities of the Village of Lombard have received an Agreement to Amend a Contract between the Village of Lombard and the Waste Management, as attached hereto and marked Exhibit "A"; and

WHEREAS, the Corporate Authorities deem it to be in the best interest of the Village of Lombard to approve such agreement;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS as follows:

SECTION 1: That the Village President be and hereby is authorized to sign on behalf of the Village of Lombard said agreement as attached hereto.

SECTION 2: That the Village Clerk be and hereby is authorized to attest said agreement as attached hereto.

Adopted this 17th day of May, 2012.

Ayes: _____

Nays: _____

Absent: _____

Approved this 17th day of May, 2012.

William J. Mueller
Village President

ATTEST:

Brigitte O'Brien
Village Clerk

APPROVAL AS TO FORM:

Thomas P. Bayer
Village Attorney

AGREEMENT TO AMEND A CONTRACT

This Agreement (the "**Agreement**") made and entered into this 17th day of May 2012, by and between the Village of Lombard (the "**Village**") and Waste Management of Illinois, Inc., an Illinois Corporation (the "**Contractor**"). The **Village** and **Contractor** being sometimes referred to herein collectively as the "**Parties**".

WHEREAS, on March 19, 2009 the **Village** and **Contractor** executed a Solid Waste Collection and Disposal Services Contract (the "**Contract**") on August 19, 2010 and;

WHEREAS, the **Contract** contains a provision in Section 8B(1) to provide a yard waste collection service from the first full week of April through the second full week of December;

WHEREAS, the **Contract** contains a provision in Section 8B(7) to provide a brush collection service from the first full week of April through the second full week of December;

WHEREAS, the **Contract** contains a provision in Section 36 for amendments to be in writing and signed by both **Parties**;

NOW, THEREFORE, for and in consideration of the foregoing and various covenants in said agreement and the mutual covenants herein contained, it is agreed by and between the parties as follows:

SECTION 1: The aforementioned **Contract** shall be amended as follows:

Section 8B(1) shall state that the yard waste collection service shall normally end on the last full week in November.

Section 8B(7) shall state that the brush collection service shall normally end on the last full week in November.

SECTION 2: The **Contractor** shall provide the **Village** with a credit of eight thousand six hundred dollars (\$8,600) annually in consideration of this **Agreement**.

SECTION 3: All other terms, covenants and conditions of said contract heretofore executed which are not amended or deleted herein shall remain in full force and effect.

IN WITNESS WHEREOF, the **Parties** have caused this document to be signed by duly authorized officers who have set their hands and seals the day and year set forth above.

Village of Lombard

By: _____
Village President

ATTEST:

By: _____
Village Clerk

Waste Management of Illinois, Inc.

By: _____

ATTEST:

By: _____