

**VILLAGE OF DOWNERS GROVE  
REPORT FOR THE VILLAGE COUNCIL MEETING  
FEBRUARY 19, 2008 AGENDA**

SUBJECT:	TYPE:	SUBMITTED BY:
Solid Waste Collection & Disposal Services Contract – Addendum A	✓ Resolution Ordinance Motion Discussion Only	Michael Baker Assistant Village Manager

**SYNOPSIS**

A resolution has been prepared to authorize approval of an addendum to the contract with ARC Disposal and Recycling (ARC) of Mount Prospect, Illinois, for solid waste collection and disposal services for three years, beginning on April 1, 2008.

**STRATEGIC PLAN ALIGNMENT**

The Council adopted Strategic Plan references and supports this item directly and indirectly in the following manner:

- The Village’s Strategic Plan identifies *Collect and Dispose of Solid Waste* as one of the primary businesses of the Village of Downers Grove.
- The Mission of the Village includes providing *Exceptional Municipal Services*. A supporting objective includes *Continuously Looking for Opportunities for Innovations and for Ways to Improve Management and Service Delivery*. The Mission also includes *Fiscally Responsible through Decisions Made with Financial Consequences in Mind*.

**FISCAL IMPACT**

N/A.

**UPDATE & RECOMMENDATION**

This item was discussed at the February 12, 2008 Workshop. Please be advised that Number 3 of the Background Section of the original green sheet should have been removed. This correction has been noted below. The item referred to in the removed section is not required as part of the addendum that Council is being asked to approve. From a practical standpoint, ARC will begin delivering carts during the week of March 24, 2008. Staff apologizes for the oversight.

Staff recommends approval on the February 19, 2008 active agenda.

**BACKGROUND**

On November 20, 2007, the Village Council approved a contract with ARC Disposal and Recycling that will take effect on April 1, 2008. Since award of the contract, Village staff has been working with representatives from ARC Disposal to plan for the implementation of the new contract. During discussions between the Village and ARC, three items were identified that staff requested be formalized in an addendum to the original contract. ARC is in agreement with the items as proposed, which are as follows:

1. Requirement to provide report of cart user addresses upon request – This reporting requirement is not specifically mentioned in the current contract and will allow the Village to more effectively communicate with households that rent the 65- or 95-gallon carts.
2. Amendment to contract term – In the original contract, the effective date of April 1 falls on a Tuesday. Given that the new contract will include a change in collection day for a number of households, it will be much easier to have ARC begin operations on a Monday. ARC has agreed to collect beginning on Monday, March 31, 2008, with no other changes to the terms of the

contract. Allied Waste, Inc., the Village's current contractor, has agreed with this adjustment, and will therefore cease operations on Thursday, March 27, 2008 (under the current contract, there is no solid waste collection on Fridays).

**ATTACHMENTS**

Resolution

Addendum A to Contract dated November 20, 2007



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING EXECUTION OF AN ADDENDUM TO AN  
AGREEMENT BETWEEN THE VILLAGE OF DOWNERS GROVE  
AND ARC DISPOSAL & RECYCLING, INC. DATED NOVEMBER 20, 2007**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois,  
as follows:

1. That the form and substance of a certain Addendum (the "Addendum"), between the Village of Downers Grove (the "Village") and ARC Disposal and Recycling, Inc. ("ARC"), for solid waste collection and disposal services, as set forth in the form of the Addendum submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Village Manager and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Addendum, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Addendum.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

\_\_\_\_\_  
Mayor

Passed:

Attest: \_\_\_\_\_  
Village Clerk

**ADDENDUM A TO CONTRACT BETWEEN VILLAGE OF DOWNERS GROVE,  
ILLINOIS AND ARC DISPOSAL & RECYCLING , INC.  
DATED NOVEMBER 20, 2007**

The Village of Downers Grove, Illinois (the "Village") and Arc Disposal and Recycling, Inc. ("ARC") hereby agree that the following language shall be and is hereby incorporated into the contract dated November 20, 2007 , as follows:

**1. INFORMATION TO BE PROVIDED BY ARC TO THE VILLAGE**

The Village may request that ARC provide a list of all names and addresses located within the corporate boundaries of the Village that rent sixty-five (65) or ninety-five (95) gallon carts from ARC. This list shall include the name and address of the customer and shall indicate whether that particular customer rents either a sixty-five (65) or ninety-five (95) gallon cart. The Village shall request such list either orally or in writing and ARC shall have ten business days from the date of such request to provide a complete list.

**2. AMENDMENT TO SECTION 72.1 TERM OF CONTRACT**

72.1 The term of the Contract will be (3) years, and shall commence at 12:01 a.m. on ~~April 1, March 31, 2008~~ and shall remain in full force and effect through termination at 11:59 p.m. on March 31, 2011. Upon mutual agreement of the parties, the Village may exercise an option to extend the contract term for an additional two (2) year period ending at 11:59 p.m. on March 31, 2013. The Contractor may negotiate in good faith, on request of the Village, for an extension to the contract, provided that the contract extension is approved by the Village Council no later than one hundred twenty (120) days before the termination of the existing contract.

**VILLAGE OF DOWNERS GROVE**

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

Date: \_\_\_\_\_

**ARC DISPOSAL AND RECYCLING, INC.**

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

Date: \_\_\_\_\_