

VILLAGE OF OAKS CLAY COUNTY, MISSOURI

BOARD OF TRUSTEES

Peter Nielsen, Chair
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VILLAGE CLERK

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ORDINANCE 2012 – 02 SOLID WASTE, RECYCLING AND YARD WASTE ORDINANCE

A RESOLUTION ACCEPTING THE PROPOSAL OF TOWN AND COUNTRY DISPOSAL OF WESTERN MISSOURI, INC. AS COOPERATIVELY BID BY THE CITY OF KANSAS CITY, MISSOURI, AND AUTHORIZING EXECUTION OF A CONTRACT WITH SUCH COMPANY FOR CURBSIDE RESIDENTIAL REFUSE COLLECTION AND DISPOSAL SERVICES

WHEREAS, the Village of Oaks did not have a single provider for weekly curbside residential refuse collection & disposal services and subsequently each resident was responsible for contracting individually with providers thus causing numerous trash trucks to traverse the Village streets on various days of the week; and

WHEREAS, the City of Kansas City, Missouri issued a request for bids for Residential Refuse Collection and Disposal Services in October of 2009 and awarded such bid to Town and Country Disposal of Western Missouri, Inc. (hereinafter "Town and Country") effective October 2, 2009 with operations commencing on May 1, 2010; and

WHEREAS, in the bid documents for Residential Refuse Collection and Disposal Services, the City of Kansas City, Missouri provided for Cooperative Procurement with Other Jurisdictions and the bidder agreed to provide products and/or services to any municipality that participates in or is represented by the Mid-America Council of Public Purchasing (MACPP) in the greater Kansas City Metropolitan Trade Area and any member of the Mid-America Regional Council (MARC); and

WHEREAS, the Village of Oaks in the adoption of its purchasing policy has approved the practice of purchasing goods and services from competitive bids awarded by other governmental entities through the cooperative bidding process when the best interest of the Village would be served; and

WHEREAS, the Village of Oaks participates in the MACPP and is a member of the Mid-America Regional Council; and

WHEREAS, the residents of the Village of Oaks passed a proposition for the Village of Oaks to contract with a single trash company to provide trash, recycling, yard waste and other solid waste removal services to be paid by all Village of Oaks home owners on an annual basis as invoiced by the Village of Oaks; and

WHEREAS, the Board of Trustees find it is in the best interest of the Village to authorize and approve execution of an agreement with Town and Country to provide Residential Refuse Collection and Disposal Services utilizing the City of Kansas City, Missouri competitive bid award for such services;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF OAKS, MISSOURI, AS FOLLOWS:

THAT the proposal submitted by Town and Country for weekly curbside residential refuse collection and disposal services as cooperatively bid by the City of Kansas City, Missouri, is hereby accepted and

approved;

FURTHER THAT the Board of Trustees is authorized to execute an agreement on behalf of the Village with Town and Country for weekly curbside residential refuse collection and disposal services, to commence October 1, 2012 in substantially the same form and upon the terms and conditions set forth in Exhibit "A" attached hereto;

FURTHER THAT the Board of Trustees of the Village may execute any other additional documents or take such other actions as are necessary, incidental or expedient to carry out the intent of the agreement approved and the authority granted herein and the City Clerk is authorized to attest thereto;

FURTHER THAT any actions taken in furtherance of the authority granted herein, prior to the date of this Resolution are hereby ratified and affirmed;

FURTHER THAT the initial year of this contract shall commencing on October 1, 2012, the continuation of this contract for each subsequent year, and any extension thereof for one or more one-year periods shall all be contingent upon the annual appropriation of funds for such purpose;

FURTHER THAT the authority and approval granted herein is intended to be consistent with and supplement the authority granted pursuant to the signed agreement with Town and Country dated September 10, 2012; however, to the extent there is a conflict of terms, the authority granted by this Ordinance shall supersede the authority granted by the signed agreement with Town and Country.

PASSED AND ADOPTED by the Board of Village of Oaks, Missouri, the 10th day of September, 2012.

Peter Nielsen, Chair of the Board of Trustees

ATTEST:

Susan Nielsen, City Clerk