

**RESOLUTION NO. 69-2023**

Introduced by Joel Hagy

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A FIRST AMENDMENT TO FORM OF CONTRACT FOR RESIDENTIAL WASTE COLLECTION AND RECYCLING SERVICES WITH REPUBLIC SERVICES INC., WHICH ORIGINAL AGREEMENT WAS AUTHORIZED BY HURON CITY COUNCIL IN RESOLUTION NO. 44-2023 ADOPTED ON JUNE 27, 2023, IN ORDER TO CORRECT SCRIVENER'S ERRORS CONTAINED IN THE ORIGINAL CONTRACT.**

**WHEREAS**, the Huron City Council previously adopted Resolution No 44-2023 on June 27, 2023 authorizing an Agreement with Republic Services Inc. dated June 28, 2023 for the provision of residential waste collection and recycling services for the period of July 1, 2023 through December 31, 2026 (hereinafter, the "Original Agreement"); and

**WHEREAS**, subsequent to execution of the Original Agreement, a rate audit of the Original Agreement determined that scrivener's errors are contained in portions of the City Location Pricing table contained in Article IV, Section 1 of the Original Agreement pertaining to "Parks and Rec" and "Nickel Plate Park;" and

**WHEREAS**, the First Amendment of Contract includes revisions to the City Location Pricing table to reflect proper pricing relating to "Parks and Rec" and "Nickel Plate Park;" and

**WHEREAS**, the City and Council believe the changes requested are reasonable, necessary and beneficial to the City of Huron.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:**

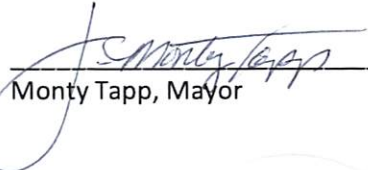
**SECTION 1:** That the City Manager be, and he hereby is, authorized to enter into a First Amendment to Form of Contract for Residential Waste Collection and Recycling Services to reflect corrections made to scrivener's errors made in Article IV, Section 1 of the Original Agreement. A copy of said First Amendment to Form of Contract for Residential Waste Collection and Recycling Services is attached hereto as Exhibit "A."

**SECTION 2:** That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22 of the Revised Code.

**SECTION 3:** This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST:

  
Clerk of Council

  
Monty Tapp, Mayor

ADOPTED:

24 OCT 2023

**FIRST AMENDMENT TO FORM OF CONTRACT FOR RESIDENTIAL WASTE  
COLLECTION AND RECYCLING SERVICES**

This First Amendment to the Form of Contract for Residential Waste and Recycling Services (herein called the "First Amendment"), made by and between the **City of Huron**, an Ohio chartered municipality (herein called the "City") and **Republic Services** (who is herein called "Vendor") (with the City and Vendor being individually referred to herein as "Party" and collectively referred to herein as "Parties"), is to EVIDENCE THAT:

WHEREAS the Parties entered in that certain Form of Contract for Residential Waste and Recycling Services on June 28, 2023 (the "Agreement");

WHEREAS the Parties desire to amend the Agreement to modify certain rates due to scrivener's error;

NOW, THEREFORE, pursuant to Article VIII, Section 1 of the Agreement, the Agreement is hereby amended as follows, effective as of the date that this First Amendment is approved by the Huron City Council (the "Effective Date"):

1. All capitalized terms herein shall have the same meaning and effect as such capitalized terms in the Agreement.

2. As of the Effective Date, portions of the City Location Pricing table contained in Article IV, Section 1 of the Agreement pertaining to "Parks and Rec" and "Nickel Plate Park" shall be eliminated in their entirety and shall be replaced with the following:

Location	Address	Container	Duration	Lift Cycle	Year 1	Year 2	Year 3	Year 4	Year 5
Parks and Rec	110 Wall St	1x 6 Cu Yd	12 Month	Once week	\$151.63	\$159.21	\$167.17	\$175.53	\$184.31
Nickel Plate Park	100 Nickel Place Dr	1x 6 Cu Yd	Apr 1 <sup>st</sup> to Oct 31 <sup>st</sup>	Once week	\$151.63	\$159.21	\$167.17	\$175.53	\$184.31

3. In all other respects, the provisions of the Agreement not modified by this First Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this First Amendment to be effective as of the Effective Date herein.

[SIGNATURE PAGE FOLLOWS]

**City of Huron**

Date: October 26, 2023

By:   
Matthew D. Lasko, City Manager

"City"

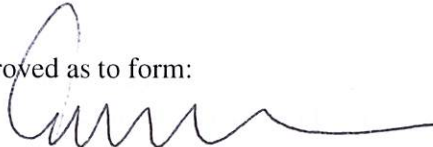
**Republic Services**

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

By: \_\_\_\_\_  
Heather Brown, General Manager

"Vendor"

Approved as to form:



\_\_\_\_\_  
Todd A Schrader, Esq., Law Director