

RESOLUTION NO. _____

A resolution approving Amendment Two (2) to the solid waste collection services contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Public Works, and Red River Waste Solutions, LP, for a change in weekly collection schedule, liquidated damages and performance bond requirements.

WHEREAS, Red River Waste Solutions, LP (“Red River”), successor in interest to Red River Service Corporation, provides certain collection services for solid waste to the Metropolitan Government of Nashville and Davidson County (“Metro”) as set forth in the Contract to Provide Collection Services for Solid Waste dated July 27, 2004 (“Contract”) and approved by RS2004-618; and,

WHEREAS, Amendment 1 to the Contract, approved by RS2013-704, changed the pricing schedule, the renewal term, vehicle age restrictions and CPI Adjustments; and,

WHEREAS, to provide more consistent, reliable service to citizens of Nashville and Davidson County, the parties have agreed to change Red River’s weekly operating schedule from a 4 day per week schedule to a five day per week schedule, as reflected in Amendment 2 to the Contract, attached hereto and incorporated herein; and,

WHEREAS, Amendment 2 also revises the liquidated damages provision of the Contract, which revision provides a clearer methodology for the calculation of damages against Red River in the case of Red River’s failure to collect, Red River’s failure to clean spilled material and for those instances where Metro receives excessive complaints for missed collections; and,

WHEREAS, Amendment 2 directs Red River to provide an increased, updated performance on or before six (6) months after execution of Amendment 2; and,

WHEREAS, it is in the best interest of The Metropolitan Government of Nashville & Davidson County that Amendment 2 be approved.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Amendment 2 to the solid waste collection services contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Public Works, and Red River Waste Solutions, LP, attached hereto as Exhibit A, and incorporated herein by reference, is hereby approved, and that the Metropolitan Mayor is authorized to execute the same.

Section 2. Any amendments, renewals, or extension of the terms of the agreement may be approved by resolution of the Metropolitan Council.

Section 3. That this resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville & Davidson County requiring it.

RECOMMENDED BY:

Shanna Whitelaw, Interim Director
Department of Public Works

Michelle Lane
Purchasing Agent

APPROVED AS TO THE
AVAILABILITY OF FUNDS:

Kevin Crumbo

APPROVED AS TO FORM
AND LEGALITY:

Assistant Metropolitan Attorney

INTRODUCED BY:

Kyonzté Toombs

Bob Nash

Member(s) of Council