

RESOLUTION NO.

13-10

TITLE: A RESOLUTION APPROVING THE FIRST ADDENDUM EXTENDING THE WASTE COLLECTION SERVICES CONTRACT WITH GATOR RUBBISH REMOVAL, LLC

WHEREAS, the Board of Trustees, pursuant to C.R.S. § 30-15-401(7.5), has the express authority to require the use of a single residential waste disposal services provider in the Town and to impose a user fee for the provision of such services; and

WHEREAS, on March 18, 2009, the Town entered into an agreement with Gator Rubbish Removal, LLC ("Gator") to provide residential curbside waste collection; and

WHEREAS, on March 21, 2012 and on May 16, 2012 that contract was amended to extend the term to July 1, 2013 and to adjust rates; and

WHEREAS, the Town and Gator wish to extend the current contract, as amended, for a period of one year.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF HUDSON, COLORADO, AS FOLLOWS:

Section 1. The First Addendum to Waste Collection Services Contract between the Town and Gator Rubbish Removal, LLC is approved, and the Mayor is authorized to execute the same on behalf of the Town.

INTRODUCED, READ and PASSED this 17th day of April, 2013.


TOWN OF HUDSON, COLORADO





Neal Pontius, Mayor

ATTEST:



Linnette Barker, Town Clerk

FIRST ADDENDUM TO WASTE COLLECTION SERVICES CONTRACT

THIS FIRST ADDENDUM TO WASTE COLLECTION SERVICES CONTRACT (the "First Addendum") is made and entered into this 17th day of April, 2013, by and between the TOWN OF HUDSON, Colorado (the "Town"), organized under the laws of Colorado as a statutory town, and Gator Rubbish Removal, LLC, an independent contractor with a principal place of business at 883 Baseline Place, Brighton, Colorado, 80603 (the "Disposal Company").

WHEREAS, the Town has previously determined to legislatively establish that one disposal company may do business in the residential area of the Town;

WHEREAS, the Town entered into that Waste Collection Services Contract dated March 18, 2009 (the "Original Contract") with Disposal Company;

WHEREAS, on March 21, 2012 and on May 16, 2012, the Original Contract was amended to extend the term to July 1, 2013 and to adjust rates; and

WHEREAS, the Town now desires to extend the Original Contract by this First Addendum to provide trash services to residential units within the Town for one additional year.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, and based upon the representations and subject to the terms and conditions hereinafter expressed, the parties hereto agree as follows:

1. Term. The term of the Original Contract, as amended, is hereby extended through and including June 30, 2014. The Town and the Disposal Company shall have the right to terminate this Contract at any time upon ninety (90) days written notice. The Town shall not pay any liquidated damages, penalties, or monetary damages as a result of terminating this Contract.

2. Rates. The rates shall be as set forth in Town of Hudson Resolution 12-19, Series of 2012.

3. Integration. Except as modified herein, the Original Contract is in full force and effect and is hereby ratified by the Town and the Disposal Company.

