

Item Y

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Approved

Regular Village Board meetings are held at 7:30 p.m., the first and third Mondays of each month in Council Chambers of Village Hall, 123 Madison St. When a regular meeting falls on a holiday, the meeting typically is held the following night. The Village Board also meets in special sessions, usually on the second and fourth Monday. However, dates and times of special meetings can vary and may change.

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File #: RES 21-288

Name:

Type: Resolution

Status: Consent Agenda

In control: President and Board of Trustees

On agenda: 12/6/2021

Final action:

Title: A Resolution Approving a Dumping of Excavated Materials Price Agreement with Waste Management of Illinois, Inc. in an Amount Not to Exceed \$95,000.00 and Authorizing its Execution

Attachments: 1. [Resolution - Dumping of Excavation Material](#), 2. [Dumping of Excavated Materials Price Agreement-Waste Management 2022](#), 3. [Attachment - Dumping of Excavation Material Bid Tab](#), 4. [Attachment - Dumping of Excavation Material Bid Documents](#)

[History \(0\)](#) [Text](#)

Submitted By

John P. Wielebnicki, Public Works Director

Reviewed By

AMZ

Agenda Item Title

A Resolution Approving a Dumping of Excavated Materials Price Agreement with Waste Management of Illinois, Inc. in an Amount Not to Exceed \$95,000.00 and Authorizing its Execution

Overview

The Public Works Department, Water and Sewer Division disposes of approximately 2,500 tons of excavated materials each year from water and sewer repair excavations. This item allows for the disposal of this material at a local transfer station. For this service staff recommends entering into an agreement with Waste Management of Illinois, Inc. in an amount not to exceed \$95,000.00.

Recommendation

Approve the Resolution

Fiscal Impact

The proposed fiscal years 2022 Water & Sewer Fund Budget provides for dumping and disposal of excavated materials in the Water Budget, External Support, account number 5040-43730-777-530667 (\$50,000.00) and in the Sewer Budget, External Support, account number 5040-43750-781-530667 (\$45,000.00).

The total amount anticipated to be spent on this service is \$95,000.00 in 2022.

Background

The Public Works Department, Water and Sewer Division, typically makes repairs to the water distribution and sewer collection systems. The excavated material from these repairs is taken to a local waste hauling transfer station.

Staff requested disposal rates from area refuse disposal companies. Only one company responded: Waste Management of Illinois. Excavated materials have been hauled to the Waste Management Chicago Metro Transfer Station in Stickney for the past several years.

Staff recommends approving an agreement with Waste Management of Illinois, Inc. in an amount not to exceed \$95,000.00.

Alternatives

The Board can delay action to gain additional information.

Previous Board Action

The Board has approved similar agreements in the past.

Citizen Advisory Commission Action

N/A.

Anticipated Future Actions/Commitments

It is anticipated that the Public Works Department will be bringing these types of service agreements to the Village Board annually.

Intergovernmental Cooperation Opportunities

N/A.

Proposal Summary: Project 22-100; Dumping of Excavated Material		
<u>PROPOSER NAME</u>	<u>Price Per Ton:</u>	<u>COMMENTS</u>
Waste Management of Illinois, Inc.	\$55.00	Sole Proposer

ORIGINAL**RESOLUTION**

**A RESOLUTION APPROVING A DUMPING OF EXCAVATED MATERIALS PRICE AGREEMENT
WITH WASTE MANAGEMENT OF ILLINOIS, INC. IN AN AMOUNT NOT TO EXCEED
\$95,000.00 AND AUTHORIZING ITS EXECUTION**

BE IT RESOLVED by the President and Board of Trustees of the Village of Oak Park, Cook County, State of Illinois ("Village"), in the exercise of their home rule powers, that the Dumping of Excavated Materials Price Agreement ("Agreement") with Waste Management of Illinois, Inc. in an amount not to exceed \$95,000.00 in fiscal year 2022 is approved and the Interim Village Manager is authorized to execute the Agreement in substantially the form attached.

THIS RESOLUTION shall be in full force and effect from and after its adoption and approval as provided by law.

ADOPTED this 6th day of December, 2021, pursuant to a roll call vote as follows:

Voting	Aye	Nay	Abstain	Absent
President Scaman	✓			
Trustee Buchanan	✓			
Trustee Enyia	✓			
Trustee Parakkat	✓			
Trustee Robinson	✓			
Trustee Taglia	✓			
Trustee Walker-Peddakotla	✓			

APPROVED this 6th day of December, 2021.


Vicki Scaman, Village President

ATTEST


Christina M. Waters, Village Clerk

DUMPING OF EXCAVATED MATERIALS PRICE AGREEMENT

THIS DUMPING OF EXCAVATED MATERIALS PRICE AGREEMENT ("Agreement") is entered onto on the 6 day of December, 2021, by and between the Village of Oak Park ("Village"), an Illinois home rule municipal corporation with offices at 123 Madison Street, Oak Park, Illinois 60302 and Waste Management of Illinois, Inc., a Delaware corporation authorized to conduct business in the State of Illinois with offices at 720 E. Butterfield Road, Lombard, IL 60148 ("Contractor").

1. Price

Contractor owns a Transfer Station that has provided the Village with a 2022 price for the dumping of excavated materials per ton as set forth in its Proposal dated November 8th, 2021, attached hereto and incorporated herein by reference. The Village accepts the price set forth in the attachment and will dump excavated materials pursuant to said price as it finds necessary. This Agreement does not commit the Village to dispose of any specific quantity of excavated materials. The total amount of excavated materials to be dumped pursuant to this Agreement shall not exceed \$95,000.00 through December 31, 2022.

2. Tax Exempt

The Village, as a local governmental entity, is exempt from the payment of State of Illinois sales tax or retailer's occupation taxes. Contractor agrees that its invoices will not include any amount for such sales taxes or retailer's occupation taxes.

3. Payment

The Village will pay all undisputed portions of invoices within 30 days of approval as provided in the Local Government Prompt Payment Act, 50 ILCS 505/4. The maximum interest rate for any payment not made within thirty (30) days of approval is 1% per month.

4. Term of Agreement

This Agreement is valid for purchases through December 31st, 2022.

5. Governing Law and Venue

This Agreement is governed by the laws of the State of Illinois without regard to conflicts of law principals. Any action brought to enforce this Agreement must be brought in the state and/or federal courts located in Cook County, Illinois.

6. Dispute Resolution

The Village does not agree to the mandatory arbitration of any dispute. In the event any action is brought to enforce this Agreement or to collect any unpaid amount from the Village, each party hereto shall bear the responsibility of paying its own attorney's fees and costs.

7. Binding Authority

The individuals executing this Agreement on behalf of the Parties represent that they have the legal power, right and actual authority to bind their respective party to the terms and conditions of this Agreement.

8. Excluded Waste

"Excluded Waste" shall mean, without limitation, any regulated quantity of a hazardous waste or hazardous substance as defined by federal, state or local laws or regulations; containerized wastes, the contents of which are not able to be identified; sludges; waste from a pollution control process or cleanup of a spill of a chemical substance or commercial product; waste tires; biohazards or regulated medical waste; friable asbestos; construction and demolition waste; tree branches and stumps; paint; motor oil; excessive storm debris or debris resulting from weather events such as hurricanes or tropical storms. Title to and liability for Excluded Waste shall remain with the customer that generated the Excluded Waste at all times.

THE PARTIES TO THIS AGREEMENT by their signatures acknowledge they have read and understand this Agreement and intend to be bound by its terms.

VILLAGE OF OAK PARK

Lisa Shelley
By: Lisa Shelley
Its: Interim Village Manager

Dated: 12/6, 2021

ATTEST

Christina M. Waters
By: Christina M. Waters
Its: Village Clerk

Date: 12/16, 2021

WASTE MANAGEMENT OF ILLINOIS, INC.

Steven Rooney
By: Steven Rooney
Its: District Manager

Dated: 1/10, 2022

ATTEST

Vaughn Kurowschew
By: Vaughn Kurowschew
Its: Public Sector Rep

Date: 1/10/22

REVIEWED AND APPROVED
AS TO FORM

[Signature]
DEC 9 6 2021
LAW DEPARTMENT

IV
BID FORM (Pricing)

The undersigned bidder agrees to all terms and conditions of the preceding specifications for Dumping of Excavated Material. The unit prices listed below should be for 2022 only. The contractor will be contractually obligated to use the rates included in their proposal to generate the invoices for each dump.

Disposal of Spoil
Price per ton \$ 55.00 /ton.

Harry Lamberton
(Type Name of Individual Signing)

being first duly sworn on oath deposes and says that the bidder on the above Bid is organized as indicated below and that all statements herein made on behalf of such bidder and that their deponent is authorized to make them, and also deposes and says that deponent has examined and carefully prepared their Bid from the Agreement Specifications and has checked the same in detail before submitting this Bid; that the statements contained herein are true and correct.

Signature of bidder authorizes the Village of Oak Park to verify references of business and credit at its option.

Signature of bidder shall also be acknowledged before a Notary Public or other person authorized by law to execute such acknowledgments.

Dated: November 8 / 2021

Waste Management of Illinois, Inc.
Organization Name (Seal - If Corporation)

By:

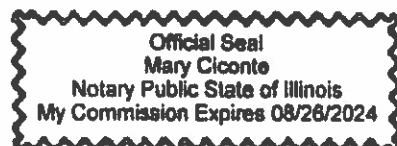
[Signature] 720 E. Butterfield Road, Lombard, IL 60148
Authorized Signature Address

(847) 980-7648
Telephone

Subscribed and sworn to before me this 8th day of November, 2021.

[Signature] in the State of ILLINOIS. My Commission
Notary Public

Expires on 08/26/2024





Office of the Secretary of State Jesse White
ilsos.gov

Corporation/LLC Search/Certificate of Good Standing

Corporation File Detail Report

File Number 21484997

Entity Name WASTE MANAGEMENT OF ILLINOIS, INC.

Status
ACTIVE

Entity Information

Entity Type
CORPORATION

Type of Corp
FOREIGN BCA

Qualification Date (Foreign)
Monday, 23 December 1968

State
DELAWARE

Duration Date
PERPETUAL

Agent Information

Name

C T CORPORATION SYSTEM**Address**

208 SO LASALLE ST, SUITE 814
CHICAGO , IL 60604

Change Date

Thursday, 28 January 1988

Annual Report**Filing Date**

Thursday, 18 November 2021

For Year

2021

Officers**President****Name & Address**

HARRY C LAMBERTON III 800 CAPITOL ST STE 3000 HOUSTON TX 770

Secretary**Name & Address**

COURTNEY A TIPPY SAME

Assumed Name**INACTIVE**

WHEATLAND PRAIRIE LANDFILL

INACTIVE

WASTE MANAGEMENT SWEEPING SERVICE

INACTIVE

WASTE TRANSFER

INACTIVE

WOODLAND LANDFILL

INACTIVE

WASTE MANAGEMENT OF PEORIA

INACTIVE
TAZEWELL COUNTY LANDFILL

INACTIVE
MIDWAY LANDFILL

INACTIVE
MEYER BROTHERS SCAVENGER SERVICE

INACTIVE
MCHENRY-WOODSTOCK DISPOSAL

INACTIVE
LAKE LANDFILL

INACTIVE
KANKAKEE LANDFILL

INACTIVE
HOD DISPOSAL SERVICE

INACTIVE
GREENE VALLEY LANDFILL

INACTIVE
GARDEN CITY DISPOSAL

INACTIVE
FOX VALLEY DISPOSAL

INACTIVE
ELGIN-WAYNE DISPOSAL CONTRACTORS

INACTIVE
ESL

INACTIVE
CLEARING DISPOSAL

INACTIVE
CITY WASTE SYSTEMS

INACTIVE
CID

INACTIVE
BANNER/WESTERN DISPOSAL SERVICE

INACTIVE
ATLAS REFUSE DISPOSAL

INACTIVE
ACE DISPOSAL SYSTEMS

INACTIVE
CHEMICAL WASTE MANAGEMENT OF ILLINOIS

INACTIVE
WASTE MANAGEMENT SWEEPING SERVICE INC.

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[Adopting Assumed Name](#)

[Change of Registered Agent and/or Registered Office](#)

(One Certificate per Transaction)

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Mon Jan 10 2022