

TO: MAYOR AND CITY COUNCIL
FROM: LANELL ENDRES, INTERIM CITY ADMIN/FINANCE DIRECTOR
SUBJECT: ASSIGNMENT OF RECYCLING CONTRACT
MEETING DATE: MAY 1, 2018

BACKGROUND

The City of Cannon Falls renewed the recycling contract with Gibson Sanitation to provide the recycling services for city residents in December, 2017. The contract was renewed for five years ending on December 31, 2022. Dale Gibson, owner of Gibson Sanitation, has indicated that he has entered into an agreement with Waste Management to take over his business. Waste Management will honor the contract that is in place and an assignment has been drafted by the City Attorney. Dale Gibson and Jay Nieson, from Waste Management, will be at the meeting to discuss the transition and answer any questions you may have.

STAFF RECOMMENDATION

Staff recommends approving the Assignment of Contract from Gibson Sanitation to Waste Management for recycling services.

REQUESTED COUNCIL ACTION

Staff respectfully requests a motion to approve the Assignment of Contract as noted.

Attachment(s):

Assignment of Contract

ASSIGNMENT OF CONTRACT

ASSIGNMENT dated _____, 2018, by, between, and among the **CITY OF CANNON FALLS**, a Minnesota municipal corporation (“City”); **GIBSON SANITATION, LLC**, a Minnesota limited liability company (“Contractor”); and **WASTE MANAGEMENT OF MINNESOTA, INC.**, a Minnesota corporation (“Successor Contractor”).

RECITALS

A. The City and Contractor previously entered into an agreement for Single Stream Recycling dated February 7, 2008 and an amendment to the agreement dated December 5, 2017 (Collectively “Agreement”).

B. The Contractor has asked the City to approve the assignment of its rights and obligations under the Agreement to the Successor Contractor.

NOW, THEREFORE, IN CONSIDERATION OF THEIR MUTUAL COVENANTS, THE PARTIES AGREE AS FOLLOWS:

1. ASSIGNMENT. The Contractor’s rights and obligations under the Agreement are assigned to the Successor Contractor, subject to the terms, covenants and conditions of this Assignment. The Successor Contractor accepts the assignment and agrees to be bound by its terms and assumes all of the obligations of the Contractor under the Agreement.

2. EFFECTIVE DATE. The Assignment of the Agreement to the Successor Contractor is effective immediately following the Successor Contractor providing the City a certificate of insurance documenting that the Successor Contractor has the insurance required by the Agreement.

CITY OF CANNON FALLS

GIBSON SANITATION, LLC

BY: _____
Robby Robinson, Mayor

BY: _____

Its _____

BY: _____
Lanell Endres, Interim City Administrator

WASTE MANAGEMENT OF MINNESOTA, INC.

BY: _____

Its _____