

RESOLUTION NO. R 3658

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KIRKLAND APPROVING AN AMENDMENT TO THE SOLID WASTE COLLECTION CONTRACT BETWEEN WASTE MANAGEMENT - SNO-KING, INC. AS CONTRACTOR, AND THE CITY OF KIRKLAND WITH RESPECT TO SECTION 2 25 PERFORMANCE BOND.

WHEREAS, the amendments to the existing Solid Waste Collection Contract between Waste Management - Sno-King, Inc. as Contractor and the City of Kirkland, which amendments were approved by Resolution No. R 3651, also impact the performance bond requirements of said contract as set forth in Section 2.25 thereof requiring certain technical amendments to said Section; and

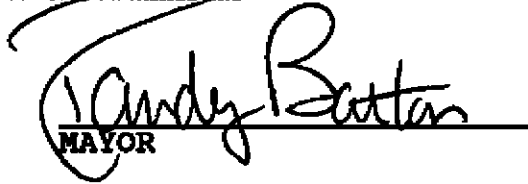
WHEREAS, the City Manager has recommended the amendment of Section 2 25 as set forth in the contract amendment attached to the original of this resolution, and by this reference incorporated herein.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Kirkland as follows:

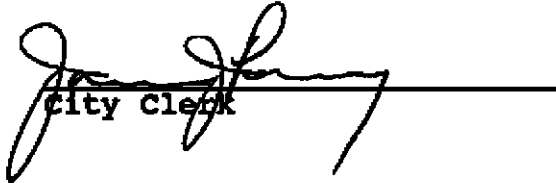
Section 1 The City Manager is hereby authorized to sign on behalf of the City of Kirkland that certain amendment to Section 2 25 of the existing Solid Waste Collection Contract between Waste Management - Sno-King, Inc. as Collector and the City of Kirkland, in the form attached to the original of this resolution as Exhibit A, and by this reference incorporated herein

PASSED by majority vote of the Kirkland City Council in regular, open meeting on the 5th day of March, 1991

SIGNED IN AUTHENTICATION THEREOF on
the 5th day of
March, 1991


MAYOR

ATTEST:


City Clerk

O-R\AmendSMC RIT dh

AMENDMENT TO SOLID WASTE COLLECTION CONTRACT

WHEREAS, the City of Kirkland and Waste Management - Sno-King, Inc have heretofore entered into a contract for Solid Waste Collection within the City limits of the City of Kirkland, including amendments thereto approved by Resolution R 3651, and

WHEREAS, the parties agree that an additional amendment relating to the performance bond requirements is appropriate and necessary

NOW, THEREFORE, In consideration of the mutual promises herein set forth, it is agreed by and between the City of Kirkland and Waste Management - Sno-King, Inc that Section 2 25 of the existing contract for Solid Waste collection as amended is hereby further amended to read as follows

2 25 Performance Bond Before the contract between the Contractor and the City shall be valid or binding against the City of Kirkland, the Contractor shall furnish to the City a performance bond to be approved by the City Attorney, conditioned that the Contractor shall faithfully perform all provisions and terms of this contract, and pay all laborers, mechanics, subcontractors, materialmen, and all persons who shall supply such Contractor with provisions and supplies for the carrying on of such work, which bond shall be signed by the surety company or surety, and shall be in the amount of \$500,000 The original term of the bond may not exceed five years Renewal of the bond for an additional two year period, shall be at the sole option of the surety Non-renewal of the bond by the surety shall not constitute any right of action or claim against the bond by the City of Kirkland Furthermore, it is the obligation of Contractor to provide replacement security as required herein, should the bond not be renewed This security may take the form of a performance bond or an irrevocable letter of credit

Dated This 5th day of March, 1991

WASTE MANAGEMENT - SNO-KING

CITY OF KIRKLAND

By 

By 

TERRENCE L ELLIS
City Manager