

Date.....May 18, 2015.....

APPROVING ASSIGNMENT OF CONTRACT FOR  
SINGLE-STREAM RECYCLABLES PROCESSING SERVICES WITH GREENSTAR  
MID-AMERICA RECYCLING, LLC (F/K/A MID-AMERICA RECYCLING, LLC) TO MID  
AMERICA RECYCLING, LLC AND AUTHORIZING CITY MANAGER TO NEGOTIATE  
AND EXECUTE ASSIGNMENT AGREEMENT AND AMENDMENT TO CONTRACT

WHEREAS, the Public Works Department provides a number of services, including the curbside collection and processing of recyclable materials; and

WHEREAS, on February 25, 2008, by Roll Call No. 08-317, the City Council authorized the issuance of a Request for Proposals (RFP) for an exclusive recycler to receive, process, and market single-stream recyclable materials collected by the Public Works Department; and

WHEREAS, on June 9, 2008, by Roll Call No. 08-1056, the City Council determined to reject all proposals and to waive the RFP requirements for good cause and directed the City Manager and Public Works Director to negotiate a contract with Mid-America Recycling, LLC for the provision of such services; and

WHEREAS, on July 14, 2008, by Roll Call No. 08-1271, the City Council approved a contract for such services with an initial term beginning on December 6, 2008 and ending on December 31, 2015, with up to two additional five year renewals at the City's discretion; and

WHEREAS, Mid-America Recycling, LLC changed its name to Greenstar Mid-America Recycling, LLC in 2009 ("Greenstar"); and

WHEREAS, Midland Recycling-Lincoln LLC, now known as Mid America Recycling, LLC, is in the process of acquiring the Processing Center in Des Moines from Greenstar and those parties desire that the City's contract be assigned to Mid America Recycling, LLC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Des Moines, Iowa that the City Council hereby consents to the assignment of the Contract By and Between the City of Des Moines, Iowa and Mid-America Recycling, LLC for Single-Stream Solid Waste Recyclables Processing Services for the Public Works Department to Mid America Recycling, LLC (formerly known as Midland Recycling-Lincoln, LLC), subject to negotiation of an assignment agreement and amendment to such Contract consistent with the terms described in the attached Council Communication and approval as to form by the Legal Department. The City Manager is authorized and directed to execute such assignment agreement and amendment on behalf of the City and the City Clerk is directed to attest to his signature.

★ Roll Call Number

Agenda Item Number

39

Date May 18, 2015

(Council Communication No. 15-270)

Moved by \_\_\_\_\_ to adopt.

Approved As To Form:

*Ann DiDonato*

Ann DiDonato  
Assistant City Attorney

| COUNCIL ACTION | YEAS     | NAYS | PASS | ABSENT |
|----------------|----------|------|------|--------|
| COWNIE         |          |      |      |        |
| COLEMAN        |          |      |      |        |
| GATTO          |          |      |      |        |
| GRAY           |          |      |      |        |
| HENSLEY        |          |      |      |        |
| MAHAFFEY       |          |      |      |        |
| MOORE          |          |      |      |        |
| TOTAL          |          |      |      |        |
| MOTION CARRIED | APPROVED |      |      |        |

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk