

COUNCIL ACTION FORM

SUBJECT: YARD WASTE SERVICES

BACKGROUND:

For several years, the City of Ames has contracted for operation of a yard waste disposal site. This operation provides the community with disposal services for trees, branches, garden waste, leaves, grass clippings, and other yard waste debris. The standard service contract includes the requirement to hold five Yard Waste Free Days, one Saturday in the spring and four Saturdays in the fall.

The current contract, which is with All Seasons Contracting, Inc. (now dba American Professional Service Group, Inc.), is in the fifth and final year of a five-year contract for the period of April 1, 2012 through December 15, 2012. This contract was awarded in the amount of \$21,009.99 and includes an annual fee of \$9.99 for services provided from April through December at \$1.11 per month. Five Yard Waste Free Days are split into two separate categories: the first includes grass, leaves and garden waste only at \$3,000.00 per event during the second, third, and fourth Saturday of November; the second includes two Saturdays with grass, leaves, garden waste *and brush* at \$6,000.00 per event. The two Saturdays including brush are generally the fourth Saturday in April, and the first Saturday in November.

Spring 2012 Contract Compliance

The contract also stipulates that the Contractor will provide newspaper advertisement prior to the free days. However, it was recently discovered that American Professional Services Group did not arrange for any advertising for the spring 2012 Yard Waste Free Day, which took place on April 21, 2012. In working with the respective publishers, it was determined that this advertising would have had an approximate cost of \$2,794. Acknowledging that this requirement was not met, the corresponding amount was deducted from the contract amount of \$6,000 for the spring free day, with a payment being made to American Professional Services Group of \$3,206.

The owner of American Professional Services Group has acknowledged to City staff that he did not perform the advertising as required under the contract.

ALTERNATIVES:

1. Affirm staff's recent action to deduct \$2,794 for the advertising obligation not performed prior to the spring 2012 Yard Waste Free Day, resulting in a payment of \$3,206 for services performed by American Professional Service Group, Inc.

2. Terminate the contract with American Professional Services Group for failure to comply with conditions and stipulations.
3. Provide full payment of \$6,000 to American Professional Services Group for the spring Yard Waste Free Day that includes grass, leaves, garden waste and brush.

MANAGER'S RECOMMENDED ACTION:

The advertising requirements for the spring 2012 Yard Waste Free Day were not fulfilled, so a deduction seems reasonable due to the lack of performance by the contractor. City Council approval is needed to affirm this action.

Therefore, it is the recommendation of the City Manager that the City Council adopt Alternative No. 1, thereby affirming the deduction of \$2,794 for the advertising obligation not performed prior to the spring 2012 Yard Waste Free Day and approving payment of \$3,206 for services performed by American Professional Service Group, Inc. for this event.