

COTTONWOOD HEIGHTS

RESOLUTION NO. 2013-43

A RESOLUTION APPROVING ENTRY INTO AN AGREEMENT FOR PUBLIC WORKS SERVICES WITH TERRACARE ASSOCIATES, LLC

WHEREAS, from the incorporation of the city of Cottonwood Heights (“*City*”) in January 2005 to the present date, Salt Lake County (“*County*”) has provided most of the public works services (“*public works services*”) required within City’s jurisdiction pursuant to (a) the 15 January 2005 “Agreement for Public Works Services,” as amended, and (b) the 1 July 2009 “Interlocal Cooperation Agreement with City of Cottonwood Heights for Public Works Services,” as amended, between City and County (the “*County Interlocals*”); and

WHEREAS, for over a year, City’s city council (the “*Council*”) has studied different methods for delivery of public works services in an effort to further enhance such services within City’s jurisdiction; and

WHEREAS, on or about 2 December 2012, City issued a request for proposals (the “*RFP*”) to seek a contractor to provide public works services to City following termination of the County Interlocals; and

WHEREAS, on or about 27 December 2012, Contractor submitted to City a written proposal in response to the RFP; and

WHEREAS, through a competitive process conducted under supervision of City’s city manager, City’s governing body (the “*Council*”) views TerraCare Associates, LLC (“*Contractor*”) as the responsive proposer with the requisite resources, experience and expertise to provide the subject public works services at a service level at least comparable to those services provided under the County Interlocals; and

WHEREAS, City desires to retain Contractor to provide, and Contractor desires to provide to City, the public works services on the terms and conditions specified in the “Agreement for Public Works Services” between Contractor and City (the “*Agreement*”); and

WHEREAS, the Council met in regular session on 24 September 2013 to consider, among other things, approving City’s entry into the Agreement; and

WHEREAS, the Council has reviewed the form of the Agreement, a photocopy of which is annexed hereto; and

WHEREAS, after careful consideration, the Council has determined that it is in the best interests of the health, safety and welfare of City’s residents to approve City’s entry into the Agreement as proposed;

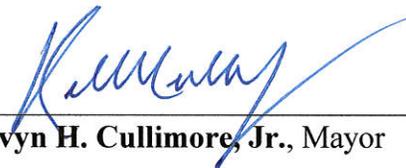
NOW, THEREFORE, BE IT RESOLVED by the city council of Cottonwood Heights that the attached Agreement with Contractor is hereby approved, and that City's mayor and recorder are authorized and directed to execute and deliver the Agreement on behalf of City; and

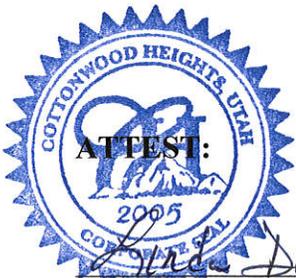
BE IT FURTHER RESOLVED that before the Agreement is signed, City's mayor, in consultation with City's manager and attorney, may negotiate, and incorporate into the Agreement, such final modifications to the Agreement as the mayor deems appropriate.

This Resolution, assigned no. 2013-43, shall take effect immediately upon passage.

PASSED AND APPROVED this 24th day of September 2013.

COTTONWOOD HEIGHTS CITY COUNCIL

By 
Kelvyn H. Cullimore, Jr., Mayor



ATTEST:

Kory Solorio, Recorder

Linda Dunlavy, Acting City Recorder

VOTING:

Kelvyn H. Cullimore, Jr.	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael L. Shelton	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
J. Scott Bracken	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Michael J. Peterson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Tee W. Tyler	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

DEPOSITED in the office of the City Recorder this 24th day of September 2013.

RECORDED this 25 day of September 2013.