

# RESOLUTION NO. 04 11 2024B

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH TLG PETERBILT – MID AMERICA, PROVIDING FOR THE PURCHASE OF TWO (2) REAR-LOAD REFUSE TRUCKS, IN AN AMOUNT NOT TO EXCEED \$317,344.00.**

**WHEREAS**, the City of O’Fallon has conducted a formal bid for two (2) rear-load refuse trucks for Environmental Services; and

**WHEREAS**, City staff has received and reviewed bids for the purchase of two (2) Peterbilt/Loadmaster rear-load refuse trucks and TLG Peterbilt – Mid America was the only bid received; and

**WHEREAS**, TLG Peterbilt – Mid America has provided the City with quality products and service in past purchases; and

**WHEREAS**, City Staff recommends approval of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF O’FALLON, MISSOURI, AS FOLLOWS:**

**SECTION 1:** The City Council approves on behalf of the City an agreement with TLG Peterbilt – Mid America for two (2) rear-load refuse trucks at a cost not to exceed \$317,344.00, in substantial conformity with the terms shown on Exhibit A attached hereto and incorporated herein by this reference as if set out here in full, together with such changes therein as shall be approved by the officers of the City executing same which are consistent with the provisions and intent of this legislation and necessary, desirable, convenient or proper in order to carry out the matters herein authorized. The City Administrator and other appropriate City officials are hereby authorized to execute the Agreement and such additional documents and take any and all actions necessary, desirable, convenient or prudent in order to carry out the intent of this legislation.

**PASSED BY THE CITY COUNCIL FOR THE CITY OF O’FALLON, MISSOURI, THIS 11<sup>TH</sup> DAY OF APRIL 2024.**

Attest:

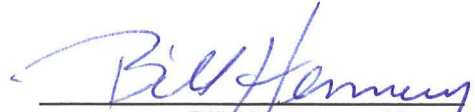
  
Bess Bacher, City Clerk



  
Presiding Officer

# RESOLUTION NO. 04 11 2024B

APPROVED BY THE MAYOR FOR THE CITY OF O'FALLON, MISSOURI, THIS 11<sup>TH</sup> DAY OF APRIL 2024.

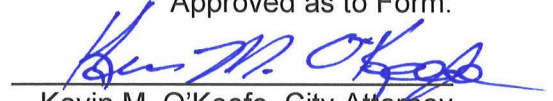
  
\_\_\_\_\_  
Bill Hennessy, Mayor

Attest:

  
\_\_\_\_\_  
Bess Bacher, City Clerk



Approved as to Form:

  
\_\_\_\_\_  
Kevin M. O'Keefe, City Attorney



## AGREEMENT

THIS AGREEMENT is made by and between the City of O'Fallon, Missouri (CITY) and TLG Peterbilt (VENDOR). The parties agree as follows:

1. VENDOR agrees to provide the CITY with two (2) complete rear-load refuse trucks in accordance with the bid documents and specifications entitled Bid # 24-028 with a public bid opening held on 3/20/2024. Said bid documents and specifications shall be incorporated into this contract by this reference.
2. The CITY in accordance with the attached Proposal will pay VENDOR an amount not to exceed \$ 317,344.00 upon delivery of the vehicles noted above.
3. The CITY at the time of the delivery will release to the VENDOR two (2) trade in vehicles.
4. VENDOR shall provide and bill for only those services associated with this project. No additional charges will be allowed without prior approval. All work performed shall be identified and quantified on each invoice.
5. VENDOR is an independent contractor, and nothing contained herein shall constitute or designate VENDOR or any of its agents or employees as agents or employees of the CITY.
6. VENDOR agrees in the performance of this agreement that it will not discriminate against any employee of applicant for employment because of race, creed, color, age, sex, national origin, ancestry, religion or political opinion or affiliation.
7. VENDOR shall maintain during the life of this Agreement and furnish to the CITY the appropriate Professional Liability, Commercial General Liability, and Workers Compensation insurance certificates in amounts as detailed in the bid specifications. VENDOR shall provide 30 days written notice prior to any change in insurance.
8. VENDOR agrees to indemnify the CITY, its officials, and employees from any loss, damage, costs, charges or expenses to person or property by reason of any action or omission on the part of any person or company involved in this agreement.

9. VENDOR has verified the U.S. Citizenship or lawful status of all its workers employed on the Project.

VENDOR:

CITY OF O'FALLON, MISSOURI

TLG Peterbilt - Mid America  
Company Name

[Signature] 4-11-24  
Michael Snowden, City Administrator Date

[Signature] 3-22-24  
Signature Date

ATTEST:

Eric Kelderman  
Print Name

[Signature] 04/12/24  
Bess Bacher, City Clerk Date

