

# Dane County Contract Cover Sheet

Revised 01/2024

Res 095  
significant

<b>Dept./Division</b>	Dane County Waste and Renewables		
<b>Vendor Name</b>	City of Madison	<b>MUNIS #</b>	1384
<b>Brief Contract Title/Description</b>	Authorizing the First Amendment to the Solid Waste Agreement Between Dane County and the City of Madison		
<b>Contract Term</b>	1/1/2023-12/31/2032		
<b>Contract Amount</b>	\$0		

<b>Contract #</b> Admin will assign	14743A
<b>Type of Contract</b>	
<input type="checkbox"/>	Dane County Contract
<input checked="" type="checkbox"/>	Intergovernmental
<input type="checkbox"/>	County Lessee
<input type="checkbox"/>	County Lessor
<input type="checkbox"/>	Purchase of Property
<input type="checkbox"/>	Property Sale
<input type="checkbox"/>	Grant
<input type="checkbox"/>	Other

Department Contact Information		Vendor Contact Information	
<b>Name</b>	Ali Rathsack	<b>Name</b>	City of Madison - Office of Real Estate
<b>Phone #</b>	608-514-2319	<b>Phone #</b>	
<b>Email</b>	rathsack.allison@danecounty.gov	<b>Email</b>	ores@cityofmadison.com
<b>Purchasing Officer</b>	Pete Patten		

<b>Purchasing Authority</b>	<input type="checkbox"/> \$13,000 or under – Best Judgment (1 quote required)	
	<input type="checkbox"/> Between \$13,000 – \$44,000 (\$0 – \$25,000 Public Works) (3 quotes required)	
	<input type="checkbox"/> Over \$44,000 (\$25,000 Public Works) (Formal RFB/RFP required)	<b>RFB/RFP #</b>
	<input type="checkbox"/> Bid Waiver – \$44,000 or under (\$25,000 or under Public Works)	
	<input type="checkbox"/> Bid Waiver – Over \$44,000 (N/A to Public Works)	
	<input checked="" type="checkbox"/> N/A – Grants, Leases, Intergovernmental, Property Purchase/Sale, Other	

<b>MUNIS Req.</b>	<b>Req #</b> n/a	<b>Org:</b>	<b>Obj:</b>	<b>Proj:</b>	<b>\$</b>
	<b>Year</b> n/a	<b>Org:</b>	<b>Obj:</b>	<b>Proj:</b>	<b>\$</b>
		<b>Org:</b>	<b>Obj:</b>	<b>Proj:</b>	<b>\$</b>

Budget Amendment	
<input type="checkbox"/>	A Budget Amendment has been requested via a Funds Transfer or Resolution. Upon addendum approval and budget amendment completion, the department shall update the requisition in MUNIS accordingly.

<b>Resolution</b> Required if contract exceeds \$100,000	<input type="checkbox"/> Contract does not exceed \$100,000	<b>Res #</b>	095
	<input checked="" type="checkbox"/> Contract exceeds \$100,000 – resolution required.		
	<input checked="" type="checkbox"/> A copy of the Resolution is attached to the contract cover sheet.	<b>Year</b>	2024

CONTRACT MODIFICATIONS – Standard Terms and Conditions		
<input type="checkbox"/> No modifications.	<input type="checkbox"/> Modifications and reviewed by:	<input checked="" type="checkbox"/> Non-standard Contract

APPROVAL	
<b>Dept. Head / Authorized Designee</b>	
Welch, John	Digitally signed by Welch, John Date: 2024.07.23 16:50:15 -05'00'

APPROVAL – Contracts Exceeding \$100,000	
<b>Director of Administration</b>	<b>Corporation Counsel</b>

APPROVAL – Internal Contract Review – Routed Electronically – Approvals Will Be Attached			
<b>DOA:</b>	<b>Date In:</b> 7/23/24	<b>Date Out:</b> _____	<input checked="" type="checkbox"/> Controller, Purchasing, Corp Counsel, Risk Management

## Goldade, Michelle

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**From:** Hicklin, Charles  
**Sent:** Friday, July 26, 2024 10:03 AM  
**To:** Goldade, Michelle  
**Subject:** Approve: Contract #14743A

## Goldade, Michelle

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**From:** Cotillier, Joshua  
**Sent:** Friday, July 26, 2024 10:21 AM  
**To:** Goldade, Michelle  
**Subject:** Approve: Contract #14743A

## Goldade, Michelle

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**From:** Gault, David  
**Sent:** Friday, July 26, 2024 8:38 AM  
**To:** Goldade, Michelle  
**Subject:** Approve: Contract #14743A

## Goldade, Michelle

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**From:** Patten (Purchasing), Peter  
**Sent:** Friday, July 26, 2024 8:02 AM  
**To:** Goldade, Michelle  
**Subject:** Approve: Contract #14743A

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**2024 RES-095**

AUTHORIZING THE FIRST AMENDMENT TO THE SOLID WASTE AGREEMENT  
BETWEEN DANE COUNTY AND THE CITY OF MADISON

On June 6, 2022, the County and the City entered into a Solid Waste Agreement. The term of this Agreement is from January 1, 2023 through December 31, 2032. The County is proposing to open a new landfill, Dane County Landfill No. 3, and as part of the statutory requirements for doing so, the City adopted a siting resolution and participated in the local negotiating committee process associated with the proposed landfill.

During the local negotiation process, the City and the County identified some issues that both felt were more appropriately addressed within the structure of the Solid Waste Agreement; and under Section 16 of the Solid Waste Agreement, the Agreement may only be amended by the written agreement of the Parties.

**NOW, THEREFORE**, in consideration of the mutual promises, covenants, and agreements hereinafter set forth, the County approves amending this Agreement; and

**THEREFORE, BE IT RESOLVED** that the first amendment to the Solid Waste Agreement is approved; and

**BE IT FURTHER RESOLVED**, that the County Executive and the County Clerk are authorized to execute all documents on behalf of the County.

**FIRST AMENDMENT TO THE SOLID WASTE AGREEMENT**  
**For 2023-2032**  
Between the County of Dane and the City of Madison

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THIS AGREEMENT, entered into by and between the County of Dane, a quasi-municipal corporation in the State of Wisconsin (hereinafter referred to as “County”), and the City of Madison, a municipal corporation of the State of Wisconsin (hereinafter referred to as “City”), is effective as of the date by which both parties have signed hereunder and according to the terms and conditions set forth herein.

WITNESSETH:

**WHEREAS**, on June 6, 2022, the County and the City (hereinafter referred to collectively as the “Parties”) entered into a Solid Waste Agreement for 2023-2032 (the “Solid Waste Agreement”) to set forth the terms and conditions agreed to by the Parties regarding the City’s solid waste stream, tipping fees, daily cover and other City materials, and other issues associated with the County’s landfill operations, as well as the to-be-developed County compost site. The term of this Agreement is from January 1, 2023 through December 31, 2032; and,

**WHEREAS**, the County is proposing to open a new landfill, Dane County Landfill No. 3, and as part of the statutory requirements for doing so, the City adopted a siting resolution and participated in the local negotiating committee process associated with the proposed landfill; and,

**WHEREAS**, during the local negotiation process, the City and the County identified some issues that both felt were more appropriately addressed within the structure of the Solid Waste Agreement; and,

**WHEREAS**, under Section 16 of the Solid Waste Agreement, the Agreement may only be amended by the written agreement of the Parties.

**NOW, THEREFORE**, in consideration of the above recitals and mutual covenants of the parties, the receipt and sufficiency of which is acknowledged by each party for itself, the Parties do agree as follows:

1. Section 14.c. of the Solid Waste Agreement is created as follows:
  - “c. Materials Testing and Acceptance. The County shall not impose unreasonable testing requirements stricter than applicable federal or state laws or regulations, or the approved Plan of Operation for the Facility, when determining the suitability of materials for disposal, including materials to be used for cover. At the discretion of the Director of Waste & Renewables, materials may be rejected if they create nuisance conditions such as excessive odors or unwanted pests, create operational issues such as unstable roadways or working surfaces, have an unreasonable level of contamination, or are otherwise unsuitable for disposal at the County’s landfill operations.”

IN WITNESS WHEREOF, the County and the City, by their respective authorized agents, have caused this Agreement to be executed, effective as of the date by which all parties hereto have affixed their respective signatures.

FOR THE COUNTY OF DANE

\_\_\_\_\_  
Jamie Kuhn, County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Scott McDonell, County Clerk

\_\_\_\_\_  
Date

Execution of this Agreement by the County is authorized by \_\_\_\_\_, adopted by the Board of Supervisors of Dane County on \_\_\_\_\_, 2024.



FOR THE CITY OF MADISON

\_\_\_\_\_  
Satya Rhodes-Conway, Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Maribeth Witzel-Behl, City Clerk

\_\_\_\_\_  
Date

Countersigned:

\_\_\_\_\_  
David P. Schmiedicke, Finance Director

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Michael Haas, City Attorney

\_\_\_\_\_  
Date

Execution of this Agreement by the City is authorized by Resolution Enactment No. RES \_\_ - \_\_\_\_\_, ID No. \_\_\_\_\_, adopted by the Common Council of the City of Madison on \_\_\_\_\_, 2024.