

RESOLUTION NO. RS2018-1021

A resolution approving an amendment to the contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Public Works, and Nature's Best Organics, by assigning the contract to Living Earth.

WHEREAS, BL2016-464 approved a ten (10) year contract, attached hereto as Exhibit A, between the Metropolitan Government of Nashville and Davidson County ("Metro") and Nature's Best Organics of Tennessee ("Nature's Best"), wherein Nature's Best agreed to provide all labor, equipment, materials and supplies for the receiving, processing, disposal and composting of all yard waste and vegetative storm debris collection by or on behalf of Metro, as part of routine collection and major storm events; and,

WHEREAS, The Letco Group, LLC, DBA Living Earth ("Living Earth"), is acquiring substantially all of the assets of Nature's Best, and those parties desire to have Nature's Best's responsibilities under the contract assigned to Living Earth; and,

WHEREAS, Living Earth is capable of handling the responsibilities under the contract and are willing to assume the contract with Metro; and,

WHEREAS, approval of this amendment allowing the assignment to Living Earth is in the best interest of the citizens of Nashville and Davidson County.

NOW, THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That the amendment to the contract between the Metropolitan Government of Nashville and Davidson County, acting by and through the Department of Public Works, and Nature's Best Organics the Metropolitan Government of Nashville and Davidson County, approving the assignment of the contract to The Letco Group, LLC, DBA Living Earth, a copy of which amendment is attached hereto as Exhibit B and incorporated herein, is hereby approved, the Director of Public Works or his designee is authorized to execute the Contract.

Section 2. Any amendment to the Contract may be approved by resolution of the Metropolitan Council receiving at least 21 affirmative votes.

Section 3. That this Resolution shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

RECOMMENDED BY:

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Mark Sturtevant, Director  
Department of Public Works

APPROVED AS TO AVAILABILITY  
OF FUNDS:

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Talia Lomax O'dneal, Director  
Department of Finance

APPROVED AS TO FORM AND  
LEGALITY:

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Assistant Metropolitan Attorney

INTRODUCED BY:

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Member(s) of Council