

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 08-167

BEING A BY-LAW TO AUTHORIZE THE EXECUTION OF AN AGREEMENT BETWEEN THE CORPORATION OF THE CITY OF PETERBOROUGH AND WASTE SERVICES (CA) INC, (P-28-08) FOR THE COLLECTION OF RECYCLABLE MATERIALS

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

1. That the Mayor and Clerk be hereby authorized to execute an agreement between the Corporation of the City of Peterborough and Waste Services (CA) Inc, and to affix the Seal of the Corporation thereto.

By-law read a first, second and third time this 6th day of October, 2008

(Sgd.) Henry Clarke, Deputy Mayor

(Sgd.) Leigh Doughty, Deputy Clerk

Attachment 5

FORM OF AGREEMENT

THIS AGREEMENT made in triplicate this _____ day of _____,

BETWEEN:

(Company Name)

(Address)

Hereinafter called the "Contractor"

THE PARTY OF THE FIRST PART

- And -

The City of Peterborough

Hereinafter called the "City"

THE PARTY OF THE SECOND PART

WITNESSETH, that the Contractor, for and in consideration of the payment or payments specified in this Contract, hereby agrees to furnish all necessary expertise, machinery, vehicles, equipment, supplies, labour and other means of construction and, to the satisfaction of the City, to do all Work as described hereafter, furnish all the materials except as herein otherwise specified, and to complete such Works in strict accordance with the terms, conditions and specifications, and Contract therefore, which are identified and acknowledged in the Request for Proposals and Forms of Proposal, all of which are to be read herewith and form part of this present Agreement as fully and completely to all intents and purposes as though all the stipulations thereof have been embodied herein.

Description of Work:

The Contractor further agrees that they will deliver the whole of the Works completed in accordance with this agreement.

The Contractor agrees that any monies due to the City of Peterborough as a result of non-compliance or non-completion in accordance with this Contract may be deducted from any monies due the Contractor on any account whatsoever.

Attachment 5 – cont’d

IN CONSIDERATION WHEREOF, the City agrees to pay to the Contractor for all Work done at the unit prices in the **Pricing Summary - Appendix B.**

This agreement shall ensure to the benefit of and be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto executed this agreement on the date above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Contractor (Corporate Name)

Name of Authorized Person Signing for Contractor (PRINT)

Title

Signature of Authorized Person Signing for Contractor/Company Seal

Date

THE CITY OF PETERBOROUGH

Mayor

City Clerk

Date