

ARLINGTON COUNTY, VIRGINIA  
OFFICE OF THE PURCHASING AGENT  
2100 CLARENDON BOULEVARD, SUITE 500  
ARLINGTON, VIRGINIA 22201

NOTICE OF CONTRACT AMENDMENT

TO:	DATE ISSUED:	<u>December 10, 2015</u>
AMERICAN DISPOSAL SERVICES, INC.	CURRENT CONTRACT NO:	<u>560-15</u>
10370 Central Park Drive	CONTRACT TITLE:	<u>DES – Residential Refuse Collection</u>
Manassas, VA 20110	PRIOR CONTRACT NO:	<u></u>

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THIS IS A NOTICE OF CONTRACT AMENDMENT AND NOT AN ORDER. NO WORK IS AUTHORIZED UNTIL THE  
VENDOR RECEIVES A VALID COUNTY PURCHASE ORDER ENCUMBERING CONTRACT FUNDS.

The above referenced contract has been amended.

ATTACHMENTS:

1) AMENDMENT No. 2 TO AGREEMENT No. 560-15

EMPLOYEES NOT TO BENEFIT:

NO COUNTY EMPLOYEE SHALL RECEIVE ANY SHARE OR BENEFIT OF THIS CONTRACT NOT AVAILABLE TO THE GENERAL PUBLIC.

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VENDOR CONTACT: <u>Kevin Edwards</u>	TELEPHONE NO.:	<u>703-368-0500</u>
	EMAIL ADDRESS:	<u>kedwards@adsimail.com</u>
COUNTY CONTACT: <u>Allison Lohrenz</u>	TELEPHONE NO.:	<u>703-228-6491</u>
	EMAIL ADDRESS:	<u>alohrenz@arlingtonva.us</u>

CONTRACT AUTHORIZATION

  
\_\_\_\_\_  
Krystyna Hepler, CPPB  
Procurement Officer

DISTRIBUTION

12/10/2015 VENDOR: 1  
Date BID FOLDER: 2

ARLINGTON COUNTY, VIRGINIA  
AGREEMENT NO. 560-15

AMENDMENT NO. 2

THIS AMENDMENT No. 2 (hereinafter "Amendment") is made on the date of execution of the Amendment by the County and amends Agreement No. 560-15 dated September 4, 2015, as amended by Amendment 1 ("Main Agreement, as amended") made between American Disposal Services, Inc. ("Contractor") and the County Board of Arlington County, Virginia ("County").

Whereas the County and the Contractor desire to amend certain provisions of the Main Agreement, as amended, the Contractor and the County, in consideration of the promises and other good and valuable consideration specified in this Amendment, amend the Main Agreement, as amended, as follows:

ADD the following Exhibits, included in this Amendment, to the Main Agreement:

- Exhibit B – Sample Living Wage notices in English and Spanish
- Exhibit C – Arlington County Contractor Living Wage Quarterly Compliance Report

DELETE section 56. SERVICE CONTRACT WAGE REQUIREMENTS of the Main Agreement in its entirety, and replace it with the following revised section:

**56. SERVICE CONTRACT WAGE REQUIREMENTS**

a. **LIVING WAGE**

The County has determined that the provisions of Section 4-103 of the Arlington County Purchasing Resolution (regarding "Service Contract Wage" or "Living Wage") apply to this Contract. All employees of the Contractor and any subcontractors working on County-owned or County-occupied property therefore must be paid no less than the hourly Living Wage rate that is published on the County's web site on the date of Contract execution.

b. **COMPLAINTS BY AGGRIEVED EMPLOYEES**

If the Contractor fails to pay the Living Wage rate, an aggrieved employee or subcontractor may file a complaint with the County Purchasing Agent within six months of the underpayment. If the Purchasing Agent determines that the Contractor has failed to comply with the Living Wage rate provisions of the Purchasing Resolution, the Contractor will be liable to the employee for the unpaid wages, plus interest at the current judgment rate set by Virginia law. The Contractor must not discharge, reduce the compensation of or otherwise retaliate against any employee who files a complaint with the County Purchasing Agent or takes any other action to enforce the requirements of this section.

c. ADDITIONAL COMPLIANCE REQUIREMENTS

At all times during the term of the Contract, the Contractor must:

1. Post the current Living Wage rate, in English and Spanish, in a prominent place at its offices and at each location where its employees perform services under this Contract (see sample notice in Exhibit B);
2. Within five days of an employee's request, provide a written statement of the applicable Living Wage rate, using the same form provided in Exhibit B;
3. Include the provisions of this section in all subcontracts for work performed under the Contract; and
4. Submit to the Purchasing Agent, within five working days of the end of each quarter, certified copies of quarterly payroll reports for each employee working under the Contract during the quarter and a completed *Arlington County Contractor Living Wage Quarterly Compliance Report* (Exhibit C).

d. CONTRACTOR RECORD KEEPING

The Contractor must preserve for five years after the expiration or termination of this Contract records of wages and benefits provided to each employee who worked under the Contract. The Contractor must permit the County's Purchasing Agent or authorized representative to provide the records at reasonable times and without unreasonable interference with the business of the Contractor.

e. VIOLATIONS

Violation of this section, as determined by the Purchasing Agent, will be a ground for termination of this Contract and debarment of the Contractor from consideration for future County contracts.

All other terms and conditions of the Main Agreement, as amended, shall remain in full force and effect.

WITNESS these signatures:

THE COUNTY BOARD OF ARLINGTON  
COUNTY, VIRGINIA

AMERICAN DISPOSAL SERVICES, INC.

AUTHORIZED  
SIGNATURE: \_\_\_\_\_



NAME: MICHAEL E. BEVIS

TITLE: PURCHASING AGENT

DATE: \_\_\_\_\_

12/10/15

AUTHORIZED  
SIGNATURE: \_\_\_\_\_



NAME: \_\_\_\_\_

Kevin Edwards

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

11-27-15

EXHIBIT B

# WAGE NOTICE

THE HOURLY RATE FOR EMPLOYEES OF CERTAIN ARLINGTON COUNTY SERVICE CONTRACTORS WORKING ON COUNTY-OWNED OR COUNTY-OCCUPIED PROPERTY MUST NOT BE LOWER THAN

\$13.13 PER HOUR

REFERENCE: ARLINGTON COUNTY PURCHASING RESOLUTION  
SECTION 4-103

FOR INFORMATION CONTACT:

ARLINGTON COUNTY  
OFFICE OF THE PURCHASING AGENT  
2100 CLARENDON BOULEVARD, SUITE 500  
ARLINGTON, VA 22201  
703-228-3410

# AVISO de SALARIO MINIMO

EL SALARIO MINIMO POR HORA PARA LOS EMPLEADOS DE ALGUNOS CONTRATISTAS QUE TRABAJAN EN UNA PROPIEDAD O BIEN INMUEBLE del GOBIERNO DEL CONDADO de ARLINGTON O CUALQUIER OTRA PROPIEDAD QUE SEA HABITADA/OCUPADA POR OFICINAS DEL GOBIERNO DEL CONDADO DE ARLINGTON SE HA ESTABLECIDO QUE EL SALARIO MINIMO SERÁ DE:

**\$13.13 POR HORA**

REFERENCIA: SECCION 4-103, DE LA RESOLUCION DE LA OFICINA DEL AGENTE DE COMPRAS DEL CONDADO DE ARLINGTON.  
(ARLINGTON COUNTY PURCHASING RESOLUTION SECTION 4-103)

PARA MAS INFORMACIÓN SIRVASE LLAMAR A:

LA OFICINA DEL AGENTE DE COMPRAS DEL CONDADO DE  
ARLINGTON.  
703-228-3410.

PARA INFORMACION EN PERSONA DIRIJASE A:

2100 CLARENDON BOULEVARD, OFFICINA No 500  
ARLINGTON, VA 22201

EXHIBIT C

ARLINGTON COUNTY CONTRACTOR LIVING WAGE QUARTERLY COMPLIANCE REPORT

Quarter: \_\_\_\_\_ to \_\_\_\_\_

Contract Number: \_\_\_\_\_ Date: \_\_\_\_\_

Company Name and Address: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

All Arlington County contractors are required to submit the following report to the Office of the Purchasing Agent every three months during the Contract Term. The report must list all personnel of the Contractor and any of its subcontractors working on County property or County-occupied property.

By the authorized signature on this form, the Contractor certifies that the information provided is accurate and complete.

EMPLOYEE NAME	TOTAL HOURS THIS QUARTER	HOURLY WAGE	GROSS EARNINGS ON THIS CONTRACT