

Statement of IV Waste, LLC

- **Kenner's claim of overbilling by IV Waste is unsupported.**

The City of Kenner continues to state that part of the reason it brought Ramelli Janitorial Service back to perform recycling services is because IV Waste has been overbilling the City for years. But that is not accurate. IV Waste has only billed the City amounts allowed by its contract for services and work required under the contract and requested by the City. It has provided the City many times with explanations and back-up documentation of all charges, but the City has mostly ignored the information provided. This is why IV Waste is asking a Judge to review the contract and make the decision about whether there has been any overbilling, which it denies.

- **Kenner has short-paid IV Waste with no explanation.**

Even though IV Waste has given the City the information and documents to back up its monthly charges and fees, the City short-paid IV Waste for the work and services it performed in January by over \$65,000. IV Waste has asked the City formally and informally for an explanation of the short-pay, but the City has ignored the requests. IV Waste's charges were pursuant to the contract and approved in the past by the City.

- **IV Waste made an offer to the City that would have saved it money.**

Even though it did not have to, to try to resolve the City's concerns about costs and to avoid litigation, IV Waste made an offer to the City at the end of 2022 to perform all work and services required under the parties' contract, including for recycling, for an amount that is less than what the contract requires. The City did not respond to the offer but instead sent IV Waste a written notification that it was suspending recycling services and operation of the Drop-off Site by IV Waste effective March 1. Although the City told IV Waste this was because it could not afford those services, it then turned around and entered into an agreement to pay Ramelli to come back and start picking up recycling. It also has announced it is buying all new recycling bins, which could cost hundreds of thousands of dollars. The City never once asked IV Waste about purchasing its bins.

Although the City could have compromised with IV Waste and saved money, it instead took steps that resulted in a lawsuit and legal fees for the City. It is now paying two service providers, and it is unnecessarily spending significant funds to buy brand new roll-out recycling bins

IV Waste looks forward to its first day in Court over these issues on April 19, when the Judge will be asked to decide if the City had the right to terminate IV Waste's recycling services and bring in a new contractor to perform that work on March 1.