

SECOND ADDENDUM TO
CITY OF LEAGUE CITY
COMMERCIAL AND RESIDENTIAL
SOLID WASTE AND RECYCLING CONTRACT

This Second Addendum to Commercial and Residential Solid Waste and Recycling Contract ("Second Addendum") is made and entered into as of January 14, 2014, by and between the City of League City, Texas, a municipal corporation located principally in Galveston County; Texas ("CITY"), and BFI Waste Services of Texas, LP (dba Republic Services) ("CONTRACTOR"), with an effective date of February 1, 2014.

WHEREAS, on October 26, 2012, CITY and CONTRACTOR entered into that certain Commercial and Residential Solid Waste and Recycling Agreement ("Agreement") whereby CONTRACTOR has agreed to provide, and CITY has agreed to accept, the performance of solid waste collection and disposal services for the CITY pursuant to the terms and conditions set forth in the Agreement; and

WHEREAS, pursuant to Section 10 of the Agreement, the CITY and CONTRACTOR agreed on an Annual Rate for the CONTRACTOR's performance of the Scope of Services identified in the Agreement, and thereafter on December 11, 2012 the parties determined a fixed allocation of pricing and fees to be charged and received by the CONTRACTOR, the terms of which were incorporated into an Exhibit B to the Agreement by way of an Addendum to City of League City Commercial and Residential Solid Waste and Recycling Contract; and

WHEREAS, pursuant to Section 29 of the Agreement, the CITY and CONTRACTOR have agreed on an increase of fees of pricing and fees for commercial services to be charged and received by the CONTRACTOR for the performance of the Scope of Services as set forth more particularly in the Exhibit B attached to this Second Addendum, and wish to incorporate this Exhibit into the Agreement;

NOW THEREFORE IN CONSIDERATION OF THESE PREMISES, and for good and valuable consideration, the CITY and CONTRACTOR agree as follows:

I.

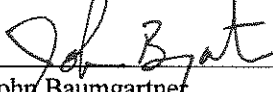
The document entitled Exhibit "B" – Pricing and Fees and attached hereto shall be incorporated into the Agreement in the place and stead of the February 1, 2014 – January 31, 2015 and the February 1, 2015 – January 31, 2018 forms Exhibit B attached thereto.

II.

Those parts of the Agreement that are not expressly modified by this Addendum remain in full force and effect.

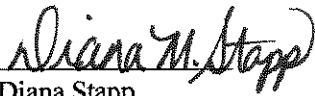
IN WITNESS WHEREOF, the parties hereto have executed this Addendum consisting of the foregoing provisions and Exhibit B incorporated herein by this reference as of the date first above written.

CITY OF LEAGUE CITY, TEXAS
300 West Walker
League City, TX 77573



John Baumgartner
Acting City Manager

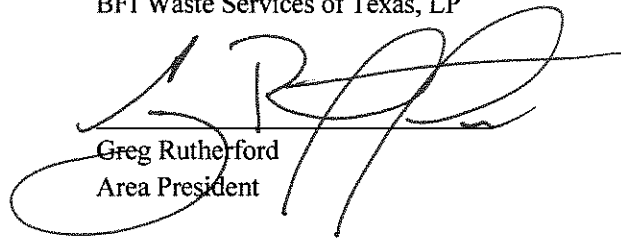
ATTEST:



Diana Stapp
City Secretary



BFI Waste Services of Texas, LP



Greg Rutherford
Area President

EXHIBIT "B" – PRICING AND FEES (19.74%)
FEBRUARY 1, 2014 – JANUARY 31, 2015
Includes 2014 2% CPI Adjustment

Subject to adjustments, as provided in Section 29 hereof, the rates and fees to be charged and received by the CONTRACTOR are as following:

A. Residential Per Unit Cost

Base Residential Garbage Collection Fee (Republic's Fee)	\$11.22
City Administrative Processing Fee	0.30
Fuel Surcharge (Republic's Fee)	0.00
Sales Tax (Collected by the City)	<u>0.92</u>
Total Monthly Residential Garbage Fee	\$12.44

B. Light Commercial Units (Does not include sales tax or 7% franchise fee to be collected by Republic)

<i>1 X WEEK-maximum of 5 bags/cans per setout</i>	<u>\$ 20.40/month</u>
<i>2 X WEEK – maximum of 5 bags/cans per setout</i>	<u>\$ 30.60/month</u>
<i>Cost per additional container</i>	<u>\$ 5.10/month</u>

C. Commercial (Does not include sales tax or 7% franchise fee to be collected by Republic)

1. Commercial Dumpster Fees

Container Size	Weekly Collection Frequency					
	1	2	3	4	5	6
2 yd	\$49.85	\$61.68	\$75.78	\$102.89	\$129.41	\$155.93
3 yd	N/A	N/A	N/A	N/A	N/A	N/A
4 yd	\$57.46	\$91.82	\$129.69	\$164.71	\$192.37	\$235.21
6 yd	\$76.71	\$120.58	\$174.53	\$229.45	\$285.65	\$339.22
8 yd	\$87.93	\$151.85	\$228.16	\$303.74	\$380.05	\$451.88
10 yd	N/A	N/A	N/A	N/A	N/A	N/A

2. Commercial Recycling Fees

Container Size	Weekly Collection Frequency					
	1	2	3	4	5	6
2 yd	N/A	N/A	N/A	N/A	N/A	N/A
3 yd	N/A	N/A	N/A	N/A	N/A	N/A
4 yd	\$56.10	\$86.70	\$127.50	N/A	N/A	N/A
6 yd	\$61.20	\$96.90	\$137.70	\$173.40	\$209.10	N/A
8 yd	\$66.30	\$102.00	\$142.80	\$183.60	\$224.40	N/A
10 yd	N/A	N/A	N/A	N/A	N/A	N/A

D. COMMERCIAL (Does not include sales tax or 7% franchise fee to be collected by Republic)

1. Roll off Container Fees

Roll-off Size ¹	Collection Rate (per collection) ²
20 CY	\$178.50
30 CY	\$178.50
40 CY	\$178.50
Compactor	Collection Rate (per collection)
20 CY	\$204.00
30 CY	\$204.00
35 CY	\$204.00
40 CY	\$204.00
42 CY	\$204.00
Miscellaneous Fees	
Roll-off delivery- one-time charge	\$127.50 per delivery
Roll-off Rental Fee ³	\$102.00 per month
Roll-off Rental Fee	\$3.06 per day
Compactor Rental Fee ⁴	\$433.50 per month *
Disposal Rate Type I Landfill per Ton	\$30.60 per ton
Disposal Rate Type IV Landfill per cubic Yard	\$7.65 per cubic yd
Notes:	
<ol style="list-style-type: none"> Proposer is required to provide pricing for 20 CY, 30 CY, 40 CY and Roll-off sizes of 20 CY, 30 Cy, 35 CY, 40 CY, and 42 CY compactor. Blank rows may be used to propose rates for additional Roll-off sizes. Proposal of additional Roll-off sizes is optional. Collection rate shall be the per-collection rate for collection of Roll-off and return of Roll-off. This rate is for the rental of the Roll-off, provided by the proposer to the Non-residential Service Unit Customer. This rate is for the rental of the Compactor, provided by the proposer to the Non-residential Service Unit Customer. <p><i>* This rate applies to compactors having a total purchase price of \$20,000.00 or less. For compactors costing above this, the monthly rental fee will be negotiated between the customer and Republic.</i></p>	

E. FUEL ADJUSTMENT TABLE (Does not include sales tax or 7% franchise fee to be collected by Republic)

Fuel Fee Structure

Adjustment Period -

Once/Quarter(1st day of Qtr) Feb/May/Aug/Nov

			<u>resi/home</u>	<u>comm/yd</u>	<u>ind/haul</u>
	every \$0.25 decrease thereafter				
		additional	(\$0.10)	(\$0.10)	(\$2.00)
	\$1.50	\$1.74	(\$0.50)	(\$0.50)	(\$14.00)
	\$1.75	\$1.99	(\$0.40)	(\$0.40)	(\$12.00)
	\$2.00	\$2.24	(\$0.30)	(\$0.30)	(\$10.00)
	\$2.25	\$2.49	(\$0.20)	(\$0.20)	(\$8.00)
	\$2.50	\$2.74	(\$0.10)	(\$0.10)	(\$6.00)
base price	\$2.75	\$4.74	0	0	0
	\$4.75	\$4.99	\$0.10	\$0.10	\$6.00
	\$5.00	\$5.24	\$0.20	\$0.20	\$8.00
	\$5.25	\$5.49	\$0.30	\$0.30	\$10.00
	\$5.50	\$5.74	\$0.40	\$0.40	\$12.00
	\$5.75	\$5.99	\$0.50	\$0.50	\$14.00
		every \$0.25 increase thereafter			
		additional	\$0.10	\$0.10	\$2.00

F. Additional Fee Schedule (Does not include sales tax or 7% franchise fee to be collected by Republic)

1. Lift Fee Commercial Dumpster – Extra
\$85.00 per Extra Lift

2. Yard Fee Commercial Dumpster – Extra
\$10.00 per Extra Yard
 *Additional waste outside of the container

3. Fee Commercial Dumpster - Swap
\$75.00 per container
 *Customer Initiated Container Swap Fee due to graffiti, vandalism, defects outside of normal wear and tear, etc.

4. Blocked Stop Fee Commercial Dumpster –
\$85.00 per Service
 *Applied if contractor has to return to service after scheduled service day due to a customer related issue; blocked by vehicle etc.

5. Fee Rolloff Container – Dry Run
\$120.00 per occurrence
 *Applied if contractor attempts to service as scheduled and cannot due to a customer related issue; blocked by vehicle, construction debris, etc.

EXHIBIT "B" – PRICING AND FEES (38.74%)
 FEBRUARY 1, 2015 – JANUARY 31, 2018
 Includes February 1, 2014 2% CPI requested increase
 Subject to Annual CPI Adjustment as approved by Council

Subject to adjustments, as provided in Section 29 hereof, the rates and fees to be charged and received by the CONTRACTOR are as following:

A. Residential Per Unit Cost

Base Residential Garbage Collection Fee (Republic's Fee)	\$13.00
City Administrative Processing Fee	0.30
Fuel Surcharge (Republic's Fee)	0.00
Sales Tax (Collected by the City)	<u>1.06</u>
Total Monthly Residential Garbage Fee	\$14.36

B. Light Commercial Units (Does not include sales tax or 7% franchise fee to be collected by Republic)

<i>1 X WEEK-maximum of 5 bags/cans per setout</i>	<u>\$ 20.40/month</u>
<i>2 X WEEK – maximum of 5 bags/cans per setout</i>	<u>\$ 30.60/month</u>
<i>Cost per additional container</i>	<u>\$ 5.10 /month</u>

C. Commercial (Does not include sales tax or 7% franchise fee to be collected by Republic)

1. Commercial Dumpster Fees

Container Size	Weekly Collection Frequency					
	1	2	3	4	5	6
2 yd	\$27.49	\$34.02	\$43.83	\$56.06	\$69.32	\$80.54
3 yd	N/A	N/A	N/A	N/A	N/A	N/A
4 yd	\$31.68	\$50.63	\$71.53	\$90.84	\$106.09	\$126.94
6 yd	\$42.18	\$66.50	\$96.26	\$126.54	\$157.54	\$187.08
8 yd	\$48.49	\$83.74	\$125.84	\$167.51	\$209.60	\$249.22
10 yd	N/A	N/A	N/A	N/A	N/A	N/A

2. Commercial Recycling Fees

Container Size	Weekly Collection Frequency					
	1	2	3	4	5	6
2 yd	N/A	N/A	N/A	N/A	N/A	N/A
3 yd	N/A	N/A	N/A	N/A	N/A	N/A
4 yd	\$56.10	\$86.70	\$127.50	N/A	N/A	N/A
6 yd	\$61.20	\$96.90	\$137.70	\$173.40	\$209.10	N/A
8 yd	\$66.30	\$102.00	\$142.80	\$183.60	\$224.40	N/A
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