

SECOND AMENDMENT TO AGREEMENT NO. 35086

35086

THIS SECOND AMENDMENT TO AGREEMENT NO. 35086 is made and entered, in duplicate, as of October 5, 2021, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on October 2, 2018, by and between CONSOLIDATED DISPOSAL SERVICE, L.L.C., a Delaware limited liability company ("Consultant"), with a place of business at 2531 E. 67<sup>th</sup> Street, Long Beach, California 90805, and the CITY OF LONG BEACH, a municipal corporation ("City").

WHEREAS, City and Consultant (the "Parties") entered into Agreement No. 35086 (the "Agreement") whereby Consultant agreed to provide municipal residential and commercial solid waste handling services; and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to October 31, 2021, add additional services, amend the rate schedule, update Consultant's Key Employee, and add the authorized annual amount of \$1,985,500; and

WHEREAS, the Parties desire to add the authorized annual amount of \$1,985,500, extend the term one (1) additional one-year period, and attach an updated rate sheet;

NOW, THEREFORE, in consideration of the mutual terms, covenants, and conditions herein contained, the Parties agree as follows:

1. Section 2 of the Agreement is hereby amended to read as follows:

"2. TERM. The term of this Agreement shall commence at midnight on November 1, 2018, and shall terminate at 11:59 p.m. on October 31, 2022, unless sooner terminated as provided in this Agreement, or unless the services or the Project is completed sooner. The term may be extended one (1) additional one-year period, at the discretion of the City Manager."

2. The Rates in Exhibit "B-1" to the First Amendment to the Agreement

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Long Beach, CA 90802-4664

are hereby amended in accordance with Exhibit "B-2", attached hereto and incorporated by this reference.

3. Except as expressly modified herein, all of the terms and conditions contained in Agreement No. 35086 are ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Parties have caused this document to be duly executed with all formalities required by law as of the date first stated above.

CONSOLIDATED DISPOSAL SERVICE,  
L.L.C., a Delaware limited liability company

October 11, 2021

By *La Shanda Shipp*  
Name La Shanda Shipp  
Title General Manager

, 2021

By \_\_\_\_\_  
Name \_\_\_\_\_  
Title \_\_\_\_\_

"Consultant"

CITY OF LONG BEACH, a municipal  
corporation

11/25, 2021

By *Linda F. Jatum*  
City Manager

"City"

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

This Second Amendment to Agreement No. 35086 is approved as to form on  
10/12, 2021.

CHARLES PARKIN, City Attorney

By *Larry J. Anderson*  
Deputy

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
411 West Ocean Boulevard, 9th Floor  
Lana Beach, CA 90802-4664

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EXHIBIT "B-2"



September 22, 2021

City of Long Beach

Attn: Marlem Landa – Assistant Administrative Analyst – Dept. of Public Works

411W. Ocean Blvd., 5<sup>th</sup> Floor

Long Beach, CA 90802

RE: Contract Renewal – Agreement # 35086

Dear Marlem,

We have received your letter considering the City exercising the renewal option of our Contract (Agreement #35086). We have reviewed your request to hold our prices for another year; however, due to continuing inflationary increases in our operating costs such as: labor, fuel, parts, supplies, transportation, disposal and processing, we are proposing a contract renewal with a 3.5% increase.

I've attached the disposal rate sheet which represents our proposed pricing for the various Material Types and Hauling services, to be effective November 1, 2021.

We are honored to serve the City of Long Beach and appreciate the great partnership we have maintained over the years. Please feel free to contact me should you have any questions at 323-217-7142.

Respectfully,

A handwritten signature in black ink, appearing to read "La Shipp".

La Shanda Shipp  
General Manager

Cc: Dave Hauser





The City Of Long Beach  
Agreement No. 35086

Consolidated Disposal Service L.L.C. dba Republic Services  
Disposal Rate Sheet

**Rates for Transfer Stations: Effective Date November 1, 2021**

a) Commercial Waste (e.g., wood, paper, etc.)	\$56.83 per ton
b) Construction and Demolition (C&D) Waste / Bulky Waste	\$91.49 per ton
c) Green Waste (GW), no food	\$77.63 per ton
d) Green Waste (e.g., hard to handle tree trunks, stumps, etc.) *Hard to Handle fee of \$63 added to each load	\$77.63 per ton plus \$65.21 per truck load*
e) Green Waste (other tree debris)	\$77.63 per ton
f) Mixed Dirt (e.g., soil, tree roots, etc.)	\$91.49 per ton
g) Residential Waste or Municipal Solid Waste (MSW)	\$56.83 per ton to 9,500 tons* \$51.86 per ton above 9,500 tons*

\*For the first 9,500 tons of Residential MSW waste annually, the rate is \$56.83. For all tonnage above 9,500 tons annually, the rate will be \$51.86 per ton. i.e. Tiered pricing is related to annual quantities delivered and will reset upon the anniversary date each year.

h) Special Waste - Non-Hazardous	\$91.49 per ton
i) Street Sweeping	\$56.83

All loads require a minimum of (1) ton charge

**Rates for Hauling: Effective upon signed agreement**

a) Hauling for waste containers, MSW (10/20/25/30/40 cu yd)	\$253.58 per haul
b) Disposal of waste containers, MSW (10/20/25/30/40 cu yd)	\$65.73 per ton
c) Delivery of waste containers, MSW (10/20/25/30/40 cu yd)	\$155.25 per service

**CERTIFICATE OF SECRETARY**

**RELATING TO THE RENEWAL OF CONTRACT  
TO PROVIDE MUNICIPAL RESIDENTIAL AND COMMERCIAL  
SOLID WASTE HANDLING SERVICES  
FOR THE CITY OF LONG BEACH  
IN THE STATE OF CALIFORNIA**

The undersigned, Secretary of **CONSOLIDATED DISPOSAL SERVICE, L.L.C.**, a Delaware limited liability company (the "Company"), hereby certifies that the following is a true and correct copy of the resolution which was duly adopted by **REPUBLIC SERVICES, INC.**, a Delaware corporation, the sole member of the Company (the "Member") by written consent of the Member on August 23, 2021, that such resolution has not been rescinded, amended or modified in any respect, and is in full force and effect on the date hereof:

**RESOLVED**, that (i) any individual at the time holding the position of General Manager or Area Director, Finance; and in connection with environmental solutions transactions only, General Manager, Division President; or Division Vice President Finance be, and each of them hereby is, appointed as an Authorized Agent, to act in the name and on behalf of the Company and to include the execution of related documents, in connection with the day-to-day business activities of the Company, and further, that (ii) in addition to any one of the foregoing positions, any individual at the time holding the position of Area Director, Business Development; Area Director, Operations; Market Vice President, Vice President, Environmental Services be, and each of them hereby is, appointed as an Authorized Agent to execute any bid and proposal, and if awarded, any related contract for services to be performed by the Company and any bond required by such bid, proposal or contract, all in accordance with the existing Levels of Authority and other relevant policies and procedures.

I further certify that **LA SHANDA SHIPP** holds the title of General Manager and in such capacity has full authority to act in the name and on behalf of the Company as set forth in the foregoing resolution.

**WITNESS MY HAND**, this 8<sup>th</sup> day of September, 2021.



Eileen B. Schuler, Secretary