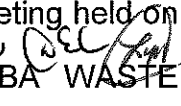


1 FIRST AMENDMENT TO CONTRACT NO. 34496

2 **34496**

3 THIS FIRST AMENDMENT TO CONTRACT NO. 34496 is entered into, in  
4 duplicate, effective as of August 10, 2017, for reference purposes only, pursuant to a  
5 minute order adopted by the City Council of the City of Long Beach at its meeting held on  
6 June 14, 2016, by and between USA WASTE OF CALIFORNIA, <sup>Inc.,</sup> DBA WASTE   
7 MANAGEMENT., a California corporation ("Contractor") and the CITY OF LONG BEACH,  
8 a municipal corporation ("City").

9 WHEREAS, City and Contractor (the "Parties") entered into Contract No.  
10 34496 whereby Contractor agreed to provide recyclable collection services; and

11 WHEREAS, the Parties desire to administratively correct the term dates and  
12 to clarify the Consumer Price Index ("CPI") to be used for rate adjustments;

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

15 1. Section 2.3. of Contract No. 34496 is hereby amended in its entirety  
16 to read as follows:

17 "2.3 Initial Term of Agreement.

18 The term of this Agreement (the "Term") shall be ten (10) years, commencing  
19 on July 1, 2016, and expiring June 30, 2026, subject to extension as provided in Section  
20 2.4. Notwithstanding the foregoing, the unexcused failure or refusal of Collector to perform  
21 any material term, covenant, obligation or condition contained in this Agreement shall give  
22 rise to the right, in favor of City, for earlier termination of this Agreement for cause in  
23 accordance with the procedures elsewhere contained herein."

24 2. The table is Section 6.4.2 of Contract No. 34496 is hereby amended  
25 in its entirety to read as follows:

26 "6.4.2 Compensation Adjustment Steps.

27 Hauler's compensation included in Exhibit "C" will be adjusted using the cost  
28 component weightings identified above.

OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Lond Beach, CA 90802-4664



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IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

USA WASTE OF CALIFORNIA DBA, WASTE MANAGEMENT., a California corporation

\_\_\_\_\_, 2017

By [Signature]  
Name Larry Metter  
Title President - Southern California Area

\_\_\_\_\_, 2017

By [Signature]  
Name Doug Corcoran  
Title Vice President

"Contractor"

Assistant City Manager  
CITY OF LONG BEACH, a municipal corporation Assistant City M.

Sept. 27, 2017

By [Signature] Tom Medica  
City Manager

EXECUTED PURSUANT TO SECTION 301 OF THE CITY CHARTER.

"City"

This First Amendment to Contract No. 34496 is approved as to form on 9-13, 2017.

CHARLES PARKIN, City Attorney

By [Signature]  
Deputy