

FOURTH AMENDMENT TO AGREEMENT NO. 35086

35086

THIS FOURTH AMENDMENT TO AGREEMENT NO. 35086 is made and entered, as of September 6, 2023, for reference purposes only, pursuant to a minute order adopted by the City Council of the City of Long Beach at its meeting on August 15, 2023, by and between CONSOLIDATED DISPOSAL SERVICE, L.L.C., a Delaware limited liability company ("Consultant"), with a place of business at 18500 North Allied Way, Phoenix, Arizona 85054, 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 for a period of two (2) years, with the option to renew for three (3) additional one-year periods, in the amount of One Million Eight Hundred Five Thousand Dollars (\$1,805,000) with a ten percent (10%) contingency in the amount of One Hundred Eighty Thousand Five Hundred Dollars (\$180,500) for a total annual amount not to exceed amount of One Million Nine Hundred Eighty-Five Thousand Five Hundred Dollars (\$1,985,500); and

WHEREAS, the Parties entered into a First Amendment to the Agreement to extend the term to October 31, 2021, add additional services, attach an updated rate sheet, and update Consultant's Key Employee; and

WHEREAS, the Parties entered into a Second Amendment to the Agreement to extend the term to October 31, 2022, and attach an updated rate sheet; and

WHEREAS, the Parties entered into a Third Amendment to the Agreement to extend the term to October 31, 2023, and attach an updated rate sheet; and

WHEREAS, on August 15, 2023, City Council authorized to increase the annual authority amount of the Agreement by One Million One Hundred Sixty-Six Thousand One Hundred Seventy-Nine Dollars (\$1,166,179) with a ten percent (10%) contingency in the amount of Two Hundred Ninety-Seven Thousand One Hundred Sixty-Eight Dollars (\$297,168), and extend the term by one (1) additional one-year period; and

1 WHEREAS, the Parties desire to increase the annual authority amount by
2 One Million One Hundred Sixty-Six Thousand, One Hundred Seventy-Nine Dollars
3 (\$1,166,179), extend the term, and attach an updated rate sheet;

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

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

7 "A. Consultant shall furnish specialized services more particularly
8 described in Exhibit "A-1", attached to this Agreement and incorporated by this reference,
9 in accordance with the standards of the profession, and City shall pay for these services
10 in the manner described below, in an annual amount not to exceed Two Million Nine
11 Hundred Seventy-One Thousand One Hundred Seventy-Nine Dollars (\$2,971,179) with a
12 ten percent (10%) contingency in the amount of Two Hundred Ninety-Seven Thousand
13 One Hundred Eighteen Dollars (\$297,118), for a total annual not to exceed amount of
14 Three Million Two Hundred Sixty-Eight Thousand Two Hundred Ninety-Seven Dollars
15 (\$3,268,297), at the rates or charges shown in Exhibit "B-4".

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

17 "2. TERM. The term of this Agreement shall commence at midnight on
18 November 1, 2018, and shall terminate at 11:59 p.m. on October 31, 2024, unless sooner
19 terminated as provided in this Agreement, or unless the services or the Project is
20 completed sooner."

21 3. The Rates attached as Exhibit "B-3" to the Third Amendment of the
22 Agreement are hereby amended in accordance with Exhibit "B-4", attached hereto and
23 incorporated by this reference.

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

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

1 IN WITNESS WHEREOF, the Parties have caused this document to be duly
2 executed with all formalities required by law as of the date first stated above.
3

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

6 September 20, 2023

7 By [Signature]
8 Name LA Shanna Shipp
9 Title General Manager

10 _____, 2023

11 By _____
12 Name _____
13 Title _____

14 EXECUTED PURSUANT
15 TO SECTION 301 OF
16 THE CITY CHARTER.

"Consultant"

CITY OF LONG BEACH, a municipal
corporation

17 10/10, 2023

18 By Linda F. Saturn
19 City Manager

"City"

20 This Fourth Amendment to Agreement No. 35086 is approved as to form on

21 September 20, 2023.

22 DAWN MCINTOSH, City Attorney

23 By [Signature]
24 Deputy



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, 2023

a) Commercial Waste (e.g., wood, paper, etc.)	\$74.06 per ton
b) Construction and Demolition (C&D) Waste / Bulky Waste	\$119.23 per ton
c) Green Waste (GW/FW) at Falcon TS <i>*(Mixed Organics - SB 1383 compliant)</i>	\$125.00 per ton
d) Green Waste (GW/FW) at Bel-Art TS <i>*(Mixed Organics - SB 1383 compliant)</i>	\$135.00 per ton
e) Hard to handle fee (i.e. hard to handle tree trunks, stumps, etc.)	\$84.98 per truck load*
f) Mixed Dirt (e.g., soil, tree roots, etc.)	\$119.23 per ton
g) Residential Waste or Municipal Solid Waste (MSW)	\$74.06 per ton
h) Special Waste - Non-Hazardous	\$119.23 per ton
i) Street Sweeping	\$74.06

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)	\$330.46 per haul
b) Disposal of waste containers, MSW (10/20/25/30/40 cu yd)	\$85.66 per ton
c) Delivery of waste containers, MSW (10/20/25/30/40 cu yd)	\$202.32 per service