

FIRST AMENDMENT TO AGREEMENT NO. 35086

**35086**

THIS FIRST AMENDMENT TO AGREEMENT NO. 35086 is made and entered, in duplicate, as of August 19, 2020, 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 desire to extend the term one (1) additional one-year period, add additional services, amend the rate schedule, update Consultant's Key Employee, and add the authorized annual amount of \$1,985,500;

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

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

"A. Consultant shall furnish specialized services more particularly described in Exhibit "A", attached to the Agreement and incorporated by this reference, in accordance with the standards of the profession, and City shall pay for these services in the manner described below, in an annual amount not to exceed One Million Eight Hundred Five Thousand Dollars (\$1,805,000) with a ten percent (10%) contingency of One Hundred Eighty Thousand Five Hundred Dollars (\$180,500) for a total annual not to exceed amount of One Million Nine Hundred Eighty-Five Thousand Five Hundred Dollars (\$1,985,500), at the rates or charges shown in Exhibit "B"."

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

1           “2.    TERM. The term of this Agreement shall commence at midnight on  
2 November 1, 2018, and shall terminate at 11:59 p.m. on October 31, 2021, unless sooner  
3 terminated as provided in this Agreement, or unless the services or the Project is  
4 completed sooner. The term may be extended for two (2) additional one-year periods, at  
5 the discretion of the City Manager.”

6           3.    The Scope of Work in Exhibit “A” to the Agreement is hereby amended  
7 to include additional services more particularly described in Exhibit “A-1”, attached hereto  
8 and incorporated by this reference.

9           4.    The Rates in Exhibit “B” to the Agreement are hereby amended in  
10 accordance with Exhibit “B-1”, attached hereto and incorporated by this reference.

11          5.    Consultant’s Key Employee in Exhibit “E” to the Agreement is hereby  
12 amended in accordance with Exhibit “E-1”, attached hereto and incorporated by this  
13 reference.

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

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OFFICE OF THE CITY ATTORNEY  
CHARLES PARKIN, 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 CONSOLIDATED DISPOSAL SERVICE,  
4 L.L.C., a Delaware limited liability company

5 September 1, 2020

6 By L. Shipp  
7 Name Lashanda Shipp  
8 Title General Manager

9 \_\_\_\_\_, 2020

10 By \_\_\_\_\_  
11 Name \_\_\_\_\_  
12 Title \_\_\_\_\_

13 "Consultant"

14 CITY OF LONG BEACH, a municipal  
15 corporation

16 September 9, 2020

17 By Sinda F. Tatum  
18 City Manager

19 "City"

EXECUTED PURSUANT  
TO SECTION 301 OF  
THE CITY CHARTER.

20 This First Amendment to Agreement No. 35086 is approved as to form on  
21 Sept. 8, 2020.

22 CHARLES PARKIN, City Attorney

23 By May J. Anderson  
24 Deputy

**EXHIBIT “A-1”**

**Scope of Work**

**SCOPE OF WORK**

Adding Neighborhood Clean-Up Program for furnishing and delivering rental metal trash dumpsters (40 yard) every Saturday for the Clean-Up events.

The Neighborhood Clean-Up Program event runs from 8:00 AM to 12:00 PM Saturday mornings. The dumpsters shall be delivered on Saturday morning prior to 8:00 AM and picked up shortly after 12:00 PM, no later than 1:00 PM unless otherwise arranged for a later pick-up time. The locations and number of dumpsters will be provided on Wednesdays prior to the Saturday delivery for furnishing the dumpsters. A 10, 20, and/or 30 low boy may be required at the Clean-Up events.

## **EXHIBIT "B-1"**

### **Rates or Charges**



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, 2020

a) Commercial Waste (e.g., wood, paper, etc.)	\$54.91 per ton
b) Construction and Demolition (C&D) Waste / Bulky Waste	\$88.40 per ton
c) Green Waste (GW), no food	\$75.00 per ton
d) Green Waste (e.g., hard to handle tree trunks, stumps, etc.) *Hard to Handle fee of \$63 added to each load	\$75.00 per ton plus \$63.00 per truck load*
e) Green Waste (other tree debris)	\$75.00 per ton
f) Mixed Dirt (e.g., soil, tree roots, etc.)	\$88.40 per ton
g) Residential Waste or Municipal Solid Waste (MSW)	\$54.91 per ton to 9,500 tons* \$50.11 per ton above 9,500 tons*

\*For the first 9,500 tons of Residential MSW waste annually, the rate is \$54.91. For all tonnage above 9,500 tons annually, the rate will be \$50.11 per ton. i.e. Tiered pricing is related to annual quantities delivered and will reset upon the anniversary date each year.

h) Special Waste (e.g., weather wood waste) Non-Hazardous	\$88.40 per ton
i) Street Sweeping	\$54.91

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)	\$245.00 per haul
b) Disposal of waste containers, MSW (10/20/25/30/40 cu yd)	\$63.51 per ton
c) Delivery of waste containers, MSW (10/20/25/30/40 cu yd)	\$150.00 per service

# EXHIBIT “E-1”

Consultant’s Key Employee:

La Shanda Shipp, General Manager.