

**AMENDMENT #4 TO FRANCHISE AGREEMENT
FOR AREAS OF HUMBOLDT COUNTY (HOLMES/REDCREST AREA)**

This is an amendment to the Franchise Agreement entered into on April 26, 2011 executed by and between the County of Humboldt (COUNTY) and Recology Humboldt County (CONTRACTOR). The parties entered into this amendment on June 25, 2013, and the effective date of this amendment is July 1, 2013.

RECITALS

WHEREAS, COUNTY and CONTRACTOR have entered into a Solid Waste Collection Franchise Agreement dated April 26, 2011 for the handling of solid waste and recyclables in the above-mentioned area (the "Franchise Agreement"), which agreement took effect on July 1, 2011 and is set to expire on December 31, 2020; and

WHEREAS, the Franchise Agreement and state law allow for the adjustment of the Maximum Service Rates to which the rates charged by CONTRACTOR (such as annual index-based adjustments, changes in the franchise fee and/or the recycling percentage set forth in the Franchise Agreement, and changes to disposal and/or processing costs) pursuant to said agreement are subject; and

WHEREAS, the COUNTY desires to incorporate a provision for the payment of franchise fees and county wide fees by CONTRACTOR resulting from collection and disposal of solid waste by an entity other than the CONTRACTOR; and,

WHEREAS, the parties have agreed to amend the Agreement to adjust rates and incorporate a provision for the payment of franchise fees and county wide fees resulting from collection and disposal of solid waste by an entity other than the CONTRACTOR.

NOW, THEREFORE, IT IS AGREED as follows:

1. The Maximum Service Rates which may be charged by CONTRACTOR pursuant to Section 14 of the above-referenced Franchise Agreement shall be as shown in Exhibit A attached hereto and incorporated by reference, and such Exhibit A shall supersede and replace prior Exhibit A of the Franchise Agreement, effective July 1, 2013. Exhibit A-1 is hereby deleted in its entirety.
2. Section 10.E entitled Payment of Franchise Fee and Countywide Fees Resulting from Collection and Disposal of Solid Waste by An Entity Other than the Franchise Holder is added to the Agreement as follows:

"10.E Payment of Franchise Fee and Countywide Fees Resulting from Collection and Disposal of Solid Waste by An Entity Other than the Franchise Holder: Should CONTRACTOR grant permission to any entity to collect and transport solid waste on its behalf for whatever reason, CONTRACTOR shall inform COUNTY in writing by providing the date, location and estimated tonnage of solid waste that will be collected.

CONTRACTOR shall be responsible for calculating and remitting to COUNTY the franchise fee and countywide program fees associated with the load. COUNTY shall be responsible for remitting the countywide program fees to Humboldt Waste Management Authority. CONTRACTOR shall not grant permission to any entity that does not have a franchise or permit from the COUNTY for the collection, transporting or disposal of solid waste.”

3. Except as modified herein or by prior amendments, the Franchise Agreement shall remain in full force and effect. In the event of a conflict between the provisions of this amendment and the original agreement, or any amendments thereto previously executed, the provisions of this amendment shall govern.


IN WITNESS WHEREOF, the parties hereto have executed this amendment on the date set forth above.

COUNTY OF HUMBOLDT

Attest:



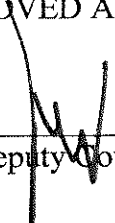
Chair, County Board of Supervisors



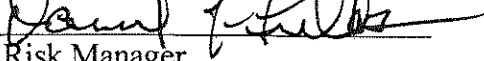
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

INSURANCE CERTIFICATES
REVIEWED AND APPROVED:

BY: 

Deputy County Counsel

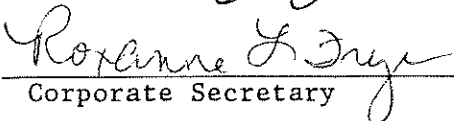
BY: 

Risk Manager

RECOLOGY HUMBOLDT COUNTY

BY: 

President & CEO

BY: 

Corporate Secretary

EXHIBIT A: HOLMES AREA FRANCHISE RATES
EFFECTIVE JULY 1, 2013

Based on Tipping Fee of:
Based on Processing Fee/Ton:

\$132.19
\$0.00

TYPE OF SERVICE	1 PR PERIOD	2 BASE RATE	3 RATE Adj	4 LABOR	5 FUEL	6 NOS	7 CURRENT BASE RATE	8 Add'l cont.	9 DISPOSAL FEE	10 Actual	11 RECYCLING COSTS	12 Blue Bag Program	13 Blue Bag - HWMA Cost	14 Actual	15 COMBINED NEW RATE	16 One cont.	17 FREQUENCY OF SERVICE
TABLE 1																	
CAN RATES - RESIDENTIAL & COMMERCIAL																	
20 Gallon Can	\$9.02			\$3.78	\$0.91	\$4.50	\$9.19			\$6.29				\$0.13	\$16.83		Weekly
30 Gallon Can	\$13.38			\$5.60	\$1.34	\$6.67	\$13.61			\$9.44				\$0.19	\$25.06		Weekly
40 Gallon Can	\$16.87			\$7.06	\$1.70	\$8.41	\$17.17			\$12.59				\$0.24	\$32.36		Weekly
64 Gallon Can	\$18.63			\$7.88	\$1.89	\$9.39	\$19.16			\$20.14				\$0.32	\$42.74		Weekly
96 Gallon Toler	\$23.78			\$9.96	\$2.38	\$11.86	\$24.21			\$28.33				\$0.43	\$57.13		Weekly
OCCASIONAL 30 Gal.	\$4.90			\$2.05	\$0.49	\$2.45	\$4.99			\$1.45				\$0.05	\$7.00		Per pick-up
TABLE 2																	
LARGE CONTAINERS Monthly service																	
1.0 CY	\$38.17			\$15.98	\$3.64	\$19.03	\$38.85			\$63.58				\$0.83	\$111.41		Weekly
2.0 CY	\$76.73			\$32.14	\$7.70	\$38.25	\$76.09			\$127.15				\$1.66	\$223.23		Weekly
3.0 CY	\$97.78			\$40.94	\$9.82	\$48.76	\$96.52			\$190.73				\$2.55	\$315.69		Weekly
4.0 CY	\$118.76			\$49.73	\$11.92	\$59.22	\$120.87			\$254.31				\$3.04	\$408.09		Weekly
6.0 CY	\$169.35			\$70.91	\$17.01	\$84.44	\$172.36			\$381.46				\$4.48	\$602.40		Weekly
15 CY	\$305.90			\$128.09	\$30.73	\$152.52	\$311.34			\$953.66				\$10.24	\$1,376.09		Weekly to 1,515 T
20 CY	\$360.75			\$151.05	\$36.24	\$179.87	\$367.16			\$1,271.54				\$13.27	\$1,782.67		Weekly to 2,02 T
40 CY	\$634.19			\$255.55	\$63.71	\$315.22	\$645.48			\$2,543.08				\$25.82	\$3,468.80		Weekly to 4,04 T
Per Pick up rates for one container																	
1.0 CY	\$67.85			\$28.41	\$6.82	\$33.83	\$69.05			\$114.67				\$0.68	\$91.02		Weekly
2.0 CY	\$130.41			\$54.60	\$13.10	\$65.03	\$132.73			\$229.34				\$1.31	\$176.15		Weekly
3.0 CY	\$177.28			\$74.23	\$17.81	\$88.40	\$180.44			\$440.01				\$1.82	\$243.97		Weekly
4.0 CY	\$222.45			\$93.15	\$22.56	\$110.91	\$226.41			\$588.69				\$2.51	\$309.89		Weekly
6.0 CY	\$321.43			\$134.59	\$32.29	\$160.27	\$327.15			\$880.03				\$3.35	\$451.31		Weekly
15 CY	\$214.22			\$89.70	\$21.52	\$106.81	\$218.03			\$220.07				\$3.55	\$476.41		Weekly to 1,515 T
20 CY	\$221.61			\$92.80	\$22.26	\$110.50	\$225.56			\$283.43				\$4.20	\$584.42		Per Pickup to 2.02 T
40 CY	\$329.71			\$138.06	\$33.12	\$164.40	\$335.58			\$586.87				\$7.47	\$1,003.25		Per Pickup to 4.04 T
Over-weight Charge																	
TOTAL: \$14.525																	

TABLE 3 CONTAINER RENTAL COSTS

	PRIOR RATE		CURRENT RATE	
	Monthly	Weekly	Monthly	Weekly
1 YARD	\$14.02	\$5.23	14.81	5.53
2 YARD	\$17.54	\$5.23	18.53	5.53
3 YARD	\$17.54	\$5.23	18.53	5.53
4 YARD	\$21.08	\$5.23	22.28	5.53
6 YARD	\$24.51	\$5.23	25.91	5.53
15 YARD	\$26.29	\$14.02	27.78	14.81
20 YARD	\$35.05	\$17.54	37.05	18.53
40 YARD	\$35.05	\$17.54	37.05	18.53

TABLE 4 CHARGES FOR SPECIAL SERVICES

PER HOUR FOR ONE (1) MAN AND ONE (1) TRUCK:	\$ 47.77
PER CUBIC YARD PICKUP:	\$ 25.46 PER YD. WHICH EVER IS GREATER
	\$ 30.00 BASE, + \$0.99 REGULATORY
REINSTATEMENT OF SERVICE	\$25.00
SPECIAL COLLECTION AFTER IMPROPER SET-OUT	\$43.75

SPECIAL SERVICE FOR BULKY ITEMS & APPLIANCES:
\$ 50.91 PER STOP, PLUS *PASS-THROUGH* COST OF DISPOSAL OR RECYCLING

TABLE 5 RECYCLING SERVICE \$4.00 per month

weekly

