

ADDENDUM
TO AGREEMENT BETWEEN
THE CITY OF LAUDERHILL
AND
WASTE MANAGEMENT INC. OF FLORIDA
FOR
EXCLUSIVE RESIDENTIAL RECYCLING SERVICES

THIS IS AN ADDENDUM, dated this ____ day of _____, 2021, by
between:

CITY OF LAUDERHILL, FLORIDA
a municipal corporation, 5581 West Oakland Park Blvd., Lauderhill, FL 33313
(hereinafter referred to as “CUSTOMER”)

and

WASTE MANAGEMENT INC. OF FLORIDA
a Florida corporation, 1800 N. Military Trail, Suite 201, Boca Raton, FL 33431
(hereinafter referred to as “COMPANY”)

WHEREAS, the CUSTOMER and WASTE PRO OF FLORIDA, INC. initially entered into a Franchise Agreement for Exclusive Residential Recycling Collection Services which was extended to be effective through July 31, 2021; and

WHEREAS, the WASTE PRO Agreement was assigned to COMPANY on August 14, 2017 via Resolution No. 17R-08-207, to be effective through July 31, 2021; and

WHEREAS, the CUSTOMER currently has in existence a Solid Waste Services Agreement with COMPANY and since both services are now run by the same company it would provide for better cost-savings, efficiency, and coordination of services to reconcile the terms of both the Solid Waste and the Recycling Collection Services Agreements, as the Agreements used to run on the same terms in prior years; and

WHEREAS, in order to get the terms of the Solid Waste and Recycling Collection Services Agreements back on the same term cycle, the City of Lauderhill wishes to extend the current Agreement with COMPANY for an extension through September 30, 2024; and

WHEREAS, the consolidation of the terms of these Agreements for both of these services is in the best interest of the residents; and

WHEREAS, it is necessary to include the following additional provisions in this extension;

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, and other good and valuable consideration, the receipt and adequacy of which are acknowledged, the parties agree as follows:

Section 1. The foregoing recitals are true and correct and are hereby incorporated into this Agreement.

Section 2. The following terms and conditions are hereby incorporated into the aforementioned Franchise Agreement which was assigned to COMPANY:

A. CPI ADJUSTMENT

Adjustment of the rate for services is based on the CPI Index for All Urban Consumers: Water, sewer and trash collection services series SERVICES SERIES CUUR0000SEHG, as published by the Bureau of Labor Statistics. One hundred percent (100%) of the percentage change shall be utilized not to exceed Five Percent (5%) per annum. Adjustments would coincide with those made under the Solid Waste Franchise.

B. REWARDS PROGRAM

The recycling rewards program is discontinued. If the City desires to maintain the program, it shall contract directly with the provider to do so.

C. RATE

The new residential recycle rate commencing October 1, 2021 will be \$3.23 per unit per month for single-family residential, and \$1.90 for multi-family residential.

D. 18 GALLON BINS

The existing 18-gallon bins will continue to be serviced, but no new or replacement 18-gallon bins will be issued. Instead, a 35-gallon car would be put into use.

Section 3. SEVERABILITY

Should any part, term or provision of this Amendment be by the courts decided to be illegal or in conflict with any law of the State, the validity of the remaining portions or provisions shall not be affected thereby.

Section 4. ADDENDUM CONTROLS: In the event of a conflict between the Original Franchise Agreement, the initial bid documents, the prior Addendums, and this Addendum, this Addendum shall control.

Section 5. ORIGINAL AGREEMENT TO REMAIN IN EFFECT: All terms and conditions of the Initial Franchise Agreement and all initial bid documents which are not inconsistent herewith shall remain in full force and effect.

Section 6. EFFECTIVE DATE. This Addendum shall become effective August 1, 2021.

IN WITNESS OF THE FOREGOING, the CITY OF LAUDERHILL AND WASTE MANAGEMENT INC. OF FLORIDA have hereunto set their hands and seals on the dates written below.

ATTEST:

CITY OF LAUDERHILL, FLORIDA

Andrea Anderson, City Clerk

Desorae Giles-Smith, City Manager

APPROVED AS TO FORM:

W. Earl Hall, Esq.
City Attorney

WASTE MANAGEMENT INC. OF FLORIDA

By: _____

Print Name: _____

Title: _____

State of _____

County of _____

On this, the _____ day of _____, 2021, before me, the undersigned Notary Public of the State of _____, the foregoing instrument was acknowledged by physical presence by _____ (name of corporate officer), _____ (title), _____ of _____ (name of corporation), a _____ (state of corporation) corporation, on behalf of the corporation.

WITNESS my hand
and official seal

Notary Public, State of _____

Printed, typed or stamped name of Notary Public
exactly as commissioned

- Personally known to me, or
- Produced identification:

(type of identification produced)