

FIRST AMENDMENT TO FRANCHISE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND SOLID WASTES OF WILLITS, INC. FOR SOLID WASTE REFUSE COLLECTION AREA NO. FOUR(4)

This first amendment to the Franchise Agreement Between the County of Mendocino and Solid Wastes of Willits, Inc. for Solid Waste Refuse Collection Area No. Four (BOS Agreement #10-141) is made this 15th day of MARCH, 2011 at Ukiah, California between Solid Wastes of Willits, Inc. (hereinafter "GRANTEE") and the County of Mendocino (hereinafter, "COUNTY").

WHEREAS, COUNTY and GRANTEE entered into an Agreement for the collection, transportation and disposal of solid waste in Solid Waste Refuse Collection Area No. Four and said agreement was approved by the Board of Supervisors on August 17, 2010; and

WHEREAS, said Agreement provides in Section 21(I) that any modification of the provisions must be made in writing and signed by a duly authorized representative of each party; and

WHEREAS, COUNTY and GRANTEE wish to amend certain provisions of the Agreement in order correct errors and/or to assist GRANTEE in more practical and cost-effective performance of GRANTEE's duties therein;

NOW, THEREFORE, it is agreed that the Agreement shall be amended as follows:

1. Section 5(C) shall read: "C. Recyclable Material Buy-Back Facility. Grantee shall operate and maintain a buy-back Recycling center at the Designated Material Buy-back Site. At a minimum, Grantee shall purchase California Redemption Value (CRV) containers. Operating hours shall, at a minimum, be from 9:00 a.m. to 4:00 p.m., Wednesday through Saturday, or days and hours approved by County."
2. Section 13(L), Reporting Requirement, 2nd paragraph, shall read: "Grantee shall submit quarterly reports within 30 calendar days after the end of the reporting quarter. Grantee shall submit annual reports no later than 120 calendar days after the end of the reporting year."

3. Exhibit B, rates, shall be amended to add service categories as follows:

Residential 35-gallon cart special pickup driveway service, \$26.66 per service.
Residential 95-gallon cart special pickup roadside service, \$24.22 per service.
Residential 95-gallon cart special pickup driveway service, \$29.06 per service.

COUNTY OF MENDOCINO

Kendall Smith
Kendall Smith **MAR 15 2011**
Chair, Board of Supervisors

SOLID WASTES OF WILLITS, INC.

Gerald Ward
Gerald Ward, CEO
Solid Wastes of Willits, Inc.
P.O. Box 1425
Willits, CA 95490

Attest:
Kristine Lanley
Clerk of the Board DEPUTY

Approved as to form:

Jeanine B. Nadel
Jeanine B. Nadel, County Counsel

Approved as to Insurance
Requirements:

Kristin McMenomey
Kristin McMenomey, Risk Manager

Approval recommended:

Michael E. Sweeney
Michael E. Sweeney
Solid Waste Director

I hereby certify that according to
the provisions of Government Code
sections 25103, delivery of this
document has been made.

CARMEL J ANGELO
Clerk of the Board
By: Kristine Lanley
Deputy