

This is the Fourth Amendment to the Contract for Solid Waste, Recycling, Yard Trimmings, and Bulky Waste Services (this “Amendment”), entered into to be effective on the date written below, by and between the City of Georgetown, a Texas home rule city, (the “City”), and Texas Disposal Systems, Inc., (“TDS”).

WHEREAS, on August 14, 2012, the City and TDS entered into the Contract for Solid Waste, Recycling, Yard Trimmings, and Bulky Waste Services to provide various waste management services, which was amended by the First, Second, and Third Amendments, (collectively the “Contract”); and

NOW THEREFORE, in consideration for the mutual benefits to be derived by the parties from this Amendment and other good and valuable consideration, the City and TDS agree to amend the Contract as follows:

9. Full Force and Effect. The parties hereto reaffirm and ratify each and every provision of the Contract (as amended hereby) and confirm that the same remains in full force and effect as of the date of this Amendment. In the event of any conflict between the terms of this Amendment and the terms of the Contract, the terms of this Amendment shall govern and control in all respects.

10. **Entire Contract.** The Contract, as amended by this Amendment, constitutes the entire agreement and understanding between the parties hereto relating to the subject matter hereof and all prior agreements, proposals, negotiations, understandings and correspondence between the parties in this regard, whether written or oral, are hereby superseded and merged herewith.

11. **Counterparts.** This Amendment may be executed simultaneously in counterparts (by facsimile, PDF or otherwise), each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The use of electronically transmitted signatures, whether by facsimile, PDF and/or email, in place of original signatures on this Amendment is expressly allowed. The Parties intend to be bound by the signatures on such electronically transmitted document, are aware that the other party will rely on the electronically transmitted signatures, and hereby waive any defenses to the enforcement of the terms of this Amendment based on the form of signature.

IN WITNESS WHEREOF, the Parties have duly executed this Fourth Amendment to the Contract for Solid Waste, Recycling, Yard Trimmings, and Bulky Waste Services to be effective on November 1, 2019.

[Signature Pages Follow]

List of Exhibits

Exhibit A

Exhibit B

CITY:

THE CITY OF GEORGETOWN, TEXAS,
A Texas home-rule municipality

By: _____
Dale Ross, Mayor

ATTEST:

By: _____
Robyn Densmore, City Secretary

APPROVED AS TO FORM:

By: _____
Charlie McNabb, City Attorney

ACKNOWLEDGEMENT

State of Texas §
 §
County of Williamson §

This instrument was acknowledged before me on _____, 2019, by Dale Ross, Mayor of the City of Georgetown, Texas, a Texas home-rule municipality, on behalf of the City of Georgetown, Texas.

Notary Public, State of Texas

Texas Disposal Systems, Inc.

By: _____

Date: _____

STATE OF TEXAS)

)

ACKNOWLEDGEMENT

COUNTY OF WILLIAMSON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2019, by _____, in his capacity as COO/CFO of Texas Disposal Systems, Inc., a Texas corporation, on behalf of said corporation.

Notary Public, State of Texas

EXHIBIT A

<u>Residential Solid Waste Services</u>		Tier I	Tier II
Service	Trash Service		
	Recycle Service		
	Bulky Collection – 2X per year		
	Seasonal Yard Trimmings		
	Total	\$16.50	\$23.04

Trash Service: – Cart Only

Extra Cart – Trash or Recycle	\$8.84	\$8.84
Additional Yard Trimming – sticker	\$5.00	\$5.00
Additional Yard Trimming Sticker	\$5.00	**

Extra sticker revenue accrues to the City

Additional Bulky Waste Collection - \$ each	\$29.12	\$29.12
Oversized Bulky Waste Collection – per CY	\$29.12	\$29.12

Cart size change – container swap fee each residential address for initial contract term

1 st Cart exchange fee	No Charge
2 nd and subsequent cart exchange fee	\$35.36 each

**Not included in base service. Rates to be negotiated between Contractor and Out-of-City Customer

City of Georgetown, Texas

Commercial Solid Waste Services

# Carts	Pickups Per Week				
	1	2	3	4	5
1	\$ 24.41	\$ 48.83	\$ 73.24	\$ 97.66	\$ 122.06
2	\$ 48.83	\$ 97.66	\$ 146.47	\$ 195.30	\$ 244.13
3	\$ 73.24	\$ 146.47	\$ 219.71	\$ 292.96	\$ 366.19
4	\$ 97.66	\$ 195.30	\$ 292.96	\$ 390.60	\$ 488.26
5	\$ 122.06	\$ 244.13	\$ 366.19	\$ 488.26	\$ 610.32

Note: Multiple frequency available in central business district only

Commercial Recycling Service

# Carts		Pickups per week				
		1	2	3	4	5
1	EOW \$13.05	\$24.85	\$61.86	\$100.10	\$138.32	\$188.81
2		\$49.71	\$123.76	\$200.20	\$276.65	\$377.63
3		\$74.57	\$185.64	\$300.30	\$414.96	\$566.43
4		\$99.42	\$247.52	\$400.40	\$553.28	\$755.25
5		\$119.50	\$297.50	\$481.25	\$665.00	\$907.75

Note: Multiple frequency available in central business district only

Commercial Containers

Size	Pickups Per Week						
	1	2	3	4	5	6	7
2CY	\$ 70.60	\$ 141.19	\$ 211.78	\$ 282.37	\$ 352.97	\$ 423.56	\$ 494.16
3CY	\$ 79.47	\$ 158.93	\$ 238.39	\$ 317.86	\$ 397.32	\$ 476.79	\$ 556.24
4CY	\$ 88.34	\$ 176.66	\$ 265.00	\$ 353.34	\$ 441.68	\$ 530.00	\$ 618.34
6CY	\$ 106.08	\$ 212.15	\$ 318.23	\$ 424.30	\$ 530.38	\$ 636.46	\$ 742.53
8CY	\$ 123.82	\$ 247.63	\$ 371.46	\$ 495.27	\$ 619.09	\$ 742.90	\$ 866.73
10CY	\$ 141.55	\$ 283.12	\$ 424.67	\$ 566.24	\$ 707.79	\$ 849.36	\$ 990.91

Commercial containers-City Discount

10%

Commercial Container Recycling

Size	Pickups Per Week						
	1	2	3	4	5	6	7
2CY	\$ 67.77	\$ 135.54	\$ 203.30	\$ 271.08	\$ 338.84	\$ 406.62	\$ 474.39
3CY	\$ 76.28	\$ 152.58	\$ 228.85	\$ 305.14	\$ 381.43	\$ 457.71	\$ 534.00
4CY	\$ 84.80	\$ 169.60	\$ 254.40	\$ 339.21	\$ 424.01	\$ 508.81	\$ 593.61
6CY	\$ 101.84	\$ 203.66	\$ 305.50	\$ 407.33	\$ 509.16	\$ 611.00	\$ 712.83
8CY	\$ 118.87	\$ 237.73	\$ 356.60	\$ 475.46	\$ 594.33	\$ 713.19	\$ 832.05
10CY	\$ 135.90	\$ 271.79	\$ 407.69	\$ 543.59	\$ 679.48	\$ 815.38	\$ 951.28

Commercial – Additional Services

Locking device – installation	\$99.84 one-time charge
Locking device	\$ 23.92 per month
Casters – for non-residential containers	\$ 35.36 per month

Unscheduled Extra Pickups

2 CY	\$54.08 each
3 CY	\$67.60 each
4 CY	\$73.84 each
6 CY	\$80.08 each
8 CY	\$87.36 each
10 CY	\$114.40 each

FL Compactors – Service rates and rental costs to be negotiated between TDS & Customer

City of Georgetown, Texas

Roll Off Compactors

Roll-Off Size	Collection Rate	Disposal Rate
20 CY	\$ 530.40	Included, 10 Ton Maximum (legal weight)
30 CY	\$ 574.08	Included, 10 Ton Maximum (legal weight)
35 CY	\$ 599.04	Included, 10 Ton Maximum (legal weight)
40 CY	\$ 624.00	Included, 10 Ton Maximum (legal weight)
42 CY	\$ 624.00	Included, 10 Ton Maximum (legal weight)

Roll Off Containers

Roll-Off Size	Collection Rate	Disposal Rate
14 CY	\$ 315.12	Included, 10 Ton Maximum (legal weight)
20 CY	\$ 400.40	Included, 10 Ton Maximum (legal weight)
30 CY	\$ 486.72	Included, 10 Ton Maximum (legal weight)
40 CY	\$ 514.80	Included, 10 Ton Maximum (legal weight)

Over weight charge will apply on over 10 ton loads as determined by Contractor

Discount from collection & disposal rates above for City 10%

Miscellaneous Fees

Roll-off delivery – one time charge	\$109.20 per delivery
Roll-off open top rental fees	\$104.00 per month
Compactor rental fees	Varies depending on equipment, age, Condition, options, services, contract term, etc.

Transfer Station Host Fees

City Host Fee

Municipal solid waste transferred through transfer station and transported to TDS Landfill by TDS transfer trailers for disposal as reported to TCEQ on annual Transfer Station Report.

\$1.75 per MSW ton transferred at Georgetown transfer station and transported to TDS landfill site for disposal.

This fee does not apply to recycle materials such as commercial and curbside recycling, green waste, compost, recycled wood, green builder recycle materials, other recycle materials, etc.

Collection Station Operation

Minimum charges – Automobile and pickup truck

Other Fees

These fees will be set based on a combination of cubic yardage and tonnage fees as set by Contractor.

Removal of Dead Animals – under 100 lbs.	\$62.40 each
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<u>Closed Landfill Maintenance Fee</u>	No charge
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Carts	Delivery	\$20.00 each
	Service	\$25.00 each
	Pickup and clean	\$25.00 each

		<u>Delivery</u>	<u>Haul/Disp</u>	<u>Rent</u>
Roll-off	20 CY	\$105.00	\$350.00	No Charge
	30 CY	\$105.00	\$425.00	No Charge
	40 CY	\$105.00	\$450.00	No Charge

{00010862 / v3 / / ENVIRO / TDS / 8/28/2019} – Fourth Amendment

City of Georgetown, Texas

Service-normal hours	\$122.00 each
Service-after hours	\$168.00 each
Final Pickup and cleaning	\$122.00 each

Other Services

Additional Collection Station Hours	\$120.00 per hour
Roll-off Storm Cleanup	
Delivery	\$125.00 each
Haul fee w/disposal	\$575.00 each
Rental	\$5.00 per day
Rearload Storm Cleanup disposal	\$183.00 per hour, plus

EXHIBIT B

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Freon Removal \$46.80 each appliance

Removal of Dead Animals – under 100 lbs. \$62.40 each