

SECOND AMENDMENT TO THE AGREEMENT

BETWEEN

CITY OF COCONUT CREEK

AND

REPUBLIC SERVICES OF FLORIDA, LIMITED PARTNERSHIP
d/b/a ALL SERVICE REFUSE

FOR

FURNISHING SOLID WASTE AND RECYCLING
COLLECTION SERVICES

This is a Second Amendment dated the ____ day of July, 2016 to the Agreement dated the 22nd day of September, 2011 (“Agreement”) and the First Amendment dated January 1, 2016 (“First Amendment”) between the CITY OF COCONUT CREEK, a municipal corporation of the State of Florida, its successors and assigns, (hereinafter referred to as “City”), through its Commissioners;

AND

REPUBLIC SERVICES OF FLORIDA, LIMITED PARTNERSHIP d/b/a ALL SERVICE REFUSE, its successors and assigns, (hereinafter referred to as “Contractor”).

WHEREAS, Contractor is in the business of providing non-hazardous solid waste collection, transportation and disposal services; and

WHEREAS, On January 1, 2016 City entered into a twenty-one (21) month renewal agreement with Republic to provide solid waste collection and disposal services to the residents and businesses of the City; and

WHEREAS, at the time that the First Amendment was approved, the rates for Single-Family were already approved and on the property tax rolls and levied; and

WHEREAS, the rates for Multi-Family were increased to compensate for the reduced Single-Family rates and a reallocation of costs from Multi-Family to Single-Family is justified and equitable resulting in a minor increase in rates for Single-Family and a correlating decrease in rates for Multi-Family; and

WHEREAS, notwithstanding the costs or any of the other reasons set forth above the City has the ability to enter into this Agreement as amended, under Florida Law and its Home Rule Powers for the protection of the Public Health, Safety and Welfare of its citizens, and

WHEREAS, the City and Republic have mutually agreed to the terms and conditions to amend the Agreement and First Amendment as modified herein and as allowed by Florida law.

NOW THEREFORE, in consideration of the mutual terms and conditions, promises, covenants and payments hereinafter set forth, CITY and CONTRACTOR hereby agree as follows:

1. The above recitals are true and correct and are incorporated herein by reference.

2. The parties desire to amend Exhibit "A," "Charges and Rates," by amending Schedules "A," through "G" to the Agreement and First Amendment as provided in the attached Exhibit "A."

3. Except to the extent modified herein, all other terms and conditions of the Agreement between the City of Coconut Creek and Republic Services of Florida, Limited Partnership d/b/a All Services Refuse for Furnishing Solid Waste and Recycling Collection Services dated September 22, 2011 and First Amendment therefore dated January 1, 2016 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have made and executed this Second Amendment on the respective dates under each signature: CITY through its City Commissioners, signing by and through its City Manager, authorized to execute same by Board action on this _____ day of July, 2016, and REPUBLIC SERVICES OF FLORIDA, LIMITED PARTNERSHIP, signing by and through its Area Municipal Services Manager who is duly authorized to execute same.

City of Coconut Creek, Florida.

Mary C. Blasi, City Manager

Date: _____

Attest:

Leslie Wallace May, MMC
City Clerk

Approved as to form:

Terrill C. Pyburn, City Attorney

CONTRACTOR

REPUBLIC SERVICES OF FLORIDA,
LIMITED PARTNERSHIP d/b/a ALL
SERVICE REFUSE
by and through its General Partner Republic
Services of Florida, GP, Inc.

Signed and delivered

In the presence of witnesses

By: _____
Jean-Pierre Turgot
Authorized Representative

Date: _____

CORPORATE ACKNOWLEDGMENT

STATE OF _____)
 :
COUNTY OF _____)

I HEREBY CERTIFY that on this day, before me, an Officer duly authorized in the State aforesaid and in the County aforesaid to take acknowledgments, personally appeared _____, of _____ a _____ Corporation, to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged before me that he/she executed the same.

WITNESS my hand and official seal this _____ day of _____, 2016.

Signature of Notary Public