

THIRD AMENDMENT OF
SOLID WASTE AND RECYCLING COLLECTION FRANCHISE AGREEMENT

THIS THIRD AMENDMENT OF THE SOLID WASTE AND RECYCLING COLLECTION FRANCHISE AGREEMENT, Lee County Contract No. 5170, is made and entered into on this 6TH day of MARCH, 2017 by and between the Lee County Board of County Commissioners ("County") and Advanced Disposal Services Solid Waste Southeast, Inc. ("Contractor"), collectively, the "Parties".

WHEREAS, the County Solid Waste and Recycling Collection Franchise Agreement, Lee County Contract No. 5170, dated March 9, 2010 with the Contractor such that the Contractor provides collection and hauling service for Franchise Service Area Number 1 in Lee County ("Agreement"); and,

WHEREAS, the Parties desire to make certain amendments to the Agreement in accordance with **Section 39. MODIFICATION** of the Agreement; and,

WHEREAS, the Contractor and its parent company desire to continue providing all required collection services in accordance with the terms and conditions of the Agreement and all amendments thereto.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING AND THE MUTUAL COVENANTS CONTAINED HEREIN, THE PARTIES AGREE TO AMEND THE AGREEMENT AS FOLLOWS:

1. Under **Section 6. CHARGES, RATES, PAYMENTS, DISPUTES, AND INTEREST RATES**, the reporting of the monthly Franchise Fees as set forth in the fourth paragraph of **E. Franchise Fee** is replaced with the following:

For Service Area One (1), the monthly Franchise Fees in the amount of 5.5% will be reported in three (3) separate statements, one for the incorporated areas

of the City of Bonita Springs, one for the incorporated area of the Town of Fort Myers Beach, and one for the incorporated areas of the Village of Estero, for invoiced amounts arising from the services and operations conducted within each boundary.

2. All other terms and conditions of the Agreement and all amendments thereto remain in full force and effect.

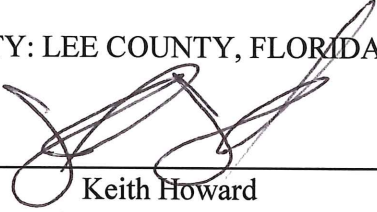
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IN WITNESS WHEREOF this Third Amendment of the Agreement has been signed and sealed, in duplicate, by the respective parties hereto.

DATED this 6TH day of March, 2017 by the Lee County Board of County Commissioners.

DATED this _____ day of _____, 2017 by Advanced Disposal Services Solid Waste Southeast, Inc.

COUNTY: LEE COUNTY, FLORIDA

BY: 
Keith Howard
Director of Lee County Utilities on
Behalf of the Board of County Commissioners


APPROVED as to Form for the Reliance of Lee County Only


BY: 
County Attorney's Office


ATTEST:

Advanced Disposal Services Solid Waste Southeast, Inc.

BY: 
Authorized Signature


(Witness)


Authorized Signature Printed Name


(Witness)

CFO
Authorized Signature Title

CORPORATE SEAL: