

AMENDMENT NUMBER TWO TO THE SOLID WASTE  
AND RECYCLING COLLECTION FRANCHISE AGREEMENT  
FOR LEE COUNTY SERVICE AREA NUMBER TWO

This Amendment No. 2 to that certain Solid Waste and Recycling Collection Franchise Agreement ("Agreement") made between the parties on March 9, 2010 is now made and entered into this 10<sup>th</sup> day of October, 2014, by and between Lee County ("County") and Advanced Disposal Services Solid Waste Southeast, Inc. ("Contractor"), collectively, "the Parties".

WITNESSETH

WHEREAS, County, through its Board of County Commissioners, entered into a Solid Waste and Recycling Collection Franchise Agreement dated March 9, 2010 with the Contractor such that the Contractor provides collection and hauling service for franchise service area number 2 in Lee County; and

WHEREAS, the Parties desire to make certain amendments to the Agreement in accordance with Section 39 of the Agreement, including an extension to the Term 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 obligations and benefits flowing from each to the other, the Parties agree to amend the Solid Waste and Recycling Collection Franchise Agreement as set forth below;

Item 25  
10-7-14

1. The provision for two, one-year extensions to the Term, stipulated in Section 1 of the Agreement, is hereby adopted by the Parties. Additionally, the amended Term of the Agreement may be further extended by the County for an additional three-year period upon the written mutual approval of both Parties.
2. The 'Rate Schedule' for Residential Dwellings Curbside Services (Part A of Exhibit II), as adjusted here-to-date, will be in effect through September 30, 2017. Any further adjustment to the pricing in Part A of Exhibit II will require specific approval by the County's Board of County Commissioners.
3. Reference Exhibit IV, 'Annual Financial Reporting Format', of the Agreement. Information provided by the Contractor will be sufficiently detailed as determined by the Contract Administrator. For example, Revenues shall be indicated by type, such as, "Commercial Collection", "Residential Collection", "Disposal Income", etc. Similarly, Operating Expenses shall also be indicated with sufficient detail, such as, "Fees paid for MSW disposal", "Fees paid for Vegetative Waste disposal", etc. The Contractor shall submit a template for the Annual Financial Report's format to the Contract Administrator each year prior to beginning its internal review.
4. Reference Exhibit V, 'Performance Bond Requirement', of the Agreement. The multiplier for determining the amount of the required performance bond(s) is hereby changed from "0.5" to "0.33".

5. Contractor for Service Area 2 shall deliver 40% of the municipal solid waste (MSW) collected in its franchise area during 10 weeks of each County fiscal year to the Lee/Hendry Landfill, as designated and directed by the Contract Administrator. In the event that MSW is directed to the landfill by the Contract Administrator, the Contractor will make arrangements to keep tires separated from other Solid Waste. The cost for this service will be \$72.00 per truckload with such cost subject to an annual adjustment in accordance with Section 6.A of the Agreement beginning October 1, 2015.
6. All other provisions of the Agreement remain in full force and effect.

(Remainder of page intentionally left blank.)

In Witness Whereof, Lee county, at a regular meeting thereof, by action of the Board of County Commissioners authorizing and directing the foregoing be adopted, has caused these presents to be signed by the Chairman of the Lee County Board of County Commissioners, and the County's seal to be hereunto affixed, and Advanced Disposal Services Solid Waste Southeast, Inc., has executed this Agreement all as of the day and year first written above.

ATTEST: LINDA DOGGETT  
CLERK OF THE COURTS

BOARD OF COUNTY COMMISSIONERS  
LEE COUNTY, FLORIDA

BY: Marcia Wilson  
Deputy Clerk

BY: Larry Lin  
Chairman

APPROVED AS TO FORM FOR THE  
RELIANCE OF LEE COUNTY ONLY:

John Pate  
Office of County Attorney



John L. Taylor  
Witness

[Signature]  
Witness

ADVANCED DISPOSAL SERVICES  
SOLID WASTE SOUTHEAST, INC.

BY: [Signature]

TITLE: Deputy General Counsel

Name: Chandra Mills  
Signature: [Signature]