

SECOND AMENDMENT OF
SOLID WASTE AND RECYCLING COLLECTION FRANCHISE AGREEMENT

THIS SECOND AMENDMENT OF THE SOLID WASTE AND RECYCLING COLLECTION FRANCHISE AGREEMENT, Lee County Contract No. 5189, is made and entered into on this 6TH day of MARCH, 2017 by and between the Lee County Board of County Commissioners ("County") and Waste Pro of Florida, Inc. ("Contractor"), collectively, the "Parties".

WHEREAS, the County Solid Waste and Recycling Collection Franchise Agreement, Lee County Contract No. 5189, dated March 9, 2010 with the Contractor such that the Contractor provides collection and hauling service for Franchise Service Area Number 3 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 Three (3), the monthly Franchise Fees in the amount of 5.5% will be reported in two (2) separate statements, one for the

unincorporated areas of Lee County, and a second for 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.

[The remainder of this page intentionally left blank.]

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 Waste Pro of Florida, Inc.

COUNTY: LEE COUNTY, FLORIDA

BY: _____

Keith Howard

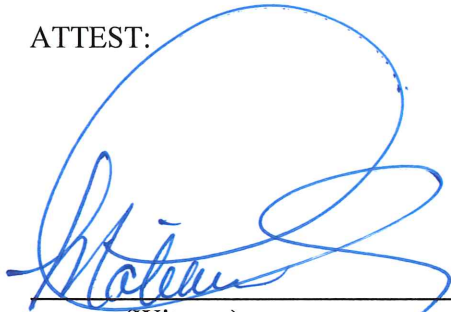
Director of Lee County Utilities on
Behalf of the Board of County Commissioners


APPROVED as to Form for the Reliance of
Lee County Only

BY: _____

County Attorney's Office

ATTEST:


(Witness)


(Witness)

Waste Pro of Florida, Inc.

BY: _____

Authorized Signature

John J. Jennings

Authorized Signature Printed Name

President & CEO

Authorized Signature Title

CORPORATE SEAL:

