

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. 7126, is made and entered into on this 16th day of May, 2017 by and between the Lee County Board of County Commissioners ("County") and Progressive Waste Solutions of FL, Inc., d/b/a Waste Connections of Florida ("Contractor"), collectively, the "Parties".

WHEREAS, the County entered into a Solid Waste and Recycling Collection Franchise Agreement, Lee County Contract No. 7126, dated April 21, 2015 with the Contractor such that the Contractor provides collection and hauling service for Franchise Service Area Number 4 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, **Section 6. CHARGES, RATES, PAYMENTS, DISPUTES, AND INTEREST RATES** - Item A. Solid Waste and Recycling Collection Rate Adjustment is hereby modified; and,

WHEREAS, the Contractor desires 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. This First Amendment modifies **Section 6. CHARGES, RATES, PAYMENTS, DISPUTES, AND INTEREST RATES** – Item A. Solid Waste and Recycling

Collection Rate Adjustment. The not-to-exceed rates for Commercial Recycling Collection Service, as provided by Exhibit II, are hereby deemed null and void. The Parties agree that the rates for Commercial Recycling Collection Service may not exceed the rate for municipal solid waste collection services.

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

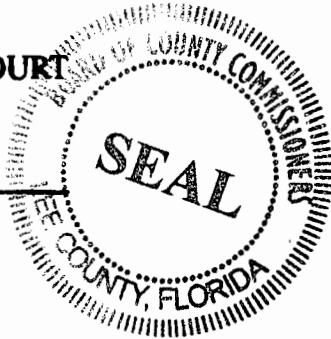
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IN WITNESS WHEREOF this Second Amendment of the Agreement has been signed and sealed, in duplicate, by the respective parties hereto.

DATED this 16th day of May, 2017 by the Lee County Board of County Commissioners.

Attest:
LINDA DOGGETT
CLERK OF CIRCUIT COURT

Theresa King
DEPUTY CLERK



COUNTY: LEE COUNTY, FLORIDA

BY: John Manning
Chair

APPROVED as to Form for the Reliance of Lee County Only

BY: [Signature]
County Attorney's Office

DATED this 12th day of April, 2017

BY: Progressive Waste Solutions of FL, Inc.,
d/b/a Waste Connections of Florida

ATTEST:

BY: Robert A. Nielsen, III
Authorized Signature

[Signature]
(Witness)

Robert A. Nielsen, III
Authorized Signature Printed Name

Joseph Blair
(Witness)

Southern Region Vice President
Authorized Signature Title

CORPORATE SEAL: