

**AMENDMENT NUMBER THREE
TO PROFESSIONAL SERVICES AGREEMENT
WITH
WARE DISPOSAL, INC.
FOR SOLID WASTE COLLECTION SERVICE AT CITY FACILITIES**

This Amendment Number Three (“Amendment”) is made and entered into this 31st day of July, 2017 (“Effective Date”), by and between the CITY OF COSTA MESA, a municipal corporation (“City”), and WARE DISPOSAL, INC., a California corporation (“Consultant”).

WHEREAS, City and Consultant entered into an agreement on August 1, 2013 for Consultant to provide solid waste collection services at City facilities (the “Agreement”); and

WHEREAS, Section 4.1 of the Agreement provides for a term of two (2) years, with the option to extend the Agreement for five (5) additional one (1) year periods; and

WHEREAS, City Council authorized the Public Services Director to execute such extensions; and

WHEREAS, on August 1, 2015, City and Consultant extended the term of the Agreement through July 31, 2016; and

WHEREAS, on July 29, 2016, City and Consultant extended the term of the Agreement through July 31, 2017, and amended the scope of services; and

WHEREAS, City and Consultant now desire to extend the term for one (1) additional year, through July 31, 2018, and to set forth Consultant’s compensation for the extended period.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. The term of the Agreement shall be extended through July 31, 2018.
2. For the period commencing August 1, 2017 and ending July 31, 2018, Consultant’s compensation shall not exceed One Hundred Ten Thousand Six Hundred Sixty-Three Dollars and Seventy Cents (\$110,663.70). Consultant shall be paid according to the fee schedule set forth in Exhibit “A,” attached hereto and incorporated herein by this reference.
3. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
4. All other terms, conditions, and provisions of the Agreement not in conflict with this Amendment shall remain in full force and effect.

[Signatures appear on following page.]

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed by and through their respective authorized officers, as of the date first written above.

CITY OF COSTA MESA

Reja Sethuram
Public Services Director

Date: 9-1-17

CONSULTANT

Jay B Ware
Signature

Date: 8/9/17

JAY B WARE GM
Name and Title

ATTEST:

Brenda Green 9/12/17
City Clerk



APPROVED AS TO FORM:

[Signature] ACA
City Attorney

Date: 9/7/17

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

Date: 8/17/17

APPROVED AS TO CONTENT:

[Signature]
Project Manager

Date: 8/25/17

APPROVED AS TO PURCHASING:

Stephen Duvvuri
Interim Finance Director

Date: 9-06-17

EXHIBIT A
FEE SCHEDULE



City of Costa Mesa Rate 2017-2018

City Facilities	Bin Size (CY)	2016-17 Bin Qty.	2016-17 Bin Freq.	Current 2016-17 Rates	1.60%	New 2017-18 Rates
City Hall	3	2	3	\$238.82	\$3.82	\$242.64
Police Facility	3	2	3	\$238.82	\$3.82	\$242.64
FS #1	0	0	0	\$0.00	\$0.00	\$0.00
FS #2	3	1	1	\$46.73	\$0.75	\$47.48
FS #3	3	1	1	\$46.73	\$0.75	\$47.48
FS #4	3	2	1	\$93.46	\$1.50	\$94.96
FS #5	3	1	1	\$46.73	\$0.75	\$47.48
FS #6	3	1	1	\$46.73	\$0.75	\$47.48
Dwntwn Rec Facility	3	1	1	\$46.73	\$0.75	\$47.48
Baleric	3	1	1	\$46.73	\$0.75	\$47.48
Neighborhood Ctr.	3	2	1	\$93.46	\$1.50	\$94.96
Old Corp	3	1	3	\$119.41	\$1.91	\$121.32
TeWinkle Skate	3	1	3	\$119.41	\$1.91	\$121.32
Sports Complex	3	1	1	\$46.73	\$0.75	\$47.48
Hamilton	3	1	1	\$46.73	\$0.75	\$47.48
TeWinkle Bark	3	1	1	\$46.73	\$0.75	\$47.48
Senior Center	4	1	3	\$159.65	\$2.55	\$162.20
Westside Substation	3	1	1	\$46.73	\$0.75	\$47.48
Del Mar/Comm. Garden	3	1	1	\$46.73	\$0.75	\$47.48
NC Trash	40	1	5	\$6,078.78	\$97.26	\$6,176.04
NC Furniture	40	1	1	\$155.75	\$2.49	\$158.24
Old Corp Appliances	40	1	On Call	\$414.30	\$6.63	\$420.93
NC GW	40	1	On Call	\$476.61	\$7.63	\$484.24
Additional Matress On Call	40	1	On Call	\$407.38	\$6.52	\$413.90
Additional 1 Furniture weekly	40	1	1x	\$399.00	\$6.38	\$405.38
Lowboy -dirt/sod/ sand	10	1	on call	\$595.00	\$9.52	\$604.52
FS #1	3	1	on call	\$103.95	\$1.66	\$105.61
40 yard Construction/Demoliton plus disposal **			On Call	\$ 319.29	\$5.11	\$324.40
Extra pickup requests 3 yard-4yard			On Call	\$ 105.72	\$1.69	\$107.41

Jan
7/25/17

Temporary 3 yd for event			On Call	\$ 105.72	\$1.69	\$107.41
Extra pickups Saturday			per pickup	\$ 159.11	\$2.55	\$161.66
Event boxes for Special			per unit	\$ 5.17	\$0.08	\$5.25
Deskside Recycling			per unit	\$ 2.30	\$0.04	\$2.34
**Disposal Tonnage per load			per ton	\$ 66.11	\$1.06	\$67.17
Sunday Service/ Emergency requests						
Man hours at DT, with bin or rolloff charge at 50% above current rate						

John
7/25/17