

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

This Amendment Number Six (“Amendment”) is made and entered into this 17th day of September, 2019 (“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, the 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, on July 31, 2017, City and Consultant extended the term of the Agreement through July 31, 2018; and

WHEREAS, on July 31, 2018, City and Consultant extended the term of the Agreement through July 31, 2019, and increased Consultant’s compensation to reflect a Consumer Price Index increase of 2.8% and to permit Consultant to provide on-call solid waste collection services for the Fire Department; and

WHEREAS, on July 31, 2019, City and Consultant extended the term of the Agreement through July 31, 2020, and increased Consultant’s compensation to reflect a Consumer Price Index increase of 3.3%; and

WHEREAS, City and Consultant now desire to further amend the Scope of Services as set forth herein, and to increase Consultant’s compensation accordingly.

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

1. The Scope of Services shall be amended to add the following services in connection with the City’s Organics Waste Recycling Program, for a period commencing October 1, 2019 and ending June 30, 2020:

Consultant will provide two bins specifically dedicated to organic waste. Consultant will place one bin at the Costa Mesa Senior Center, located at 695 W. 19th Street, and one bin at City Hall, located at 77 Fair Drive. Consultant will service both bins on a weekly basis. “Organic waste” refers to as any organic material that is biodegradable and comes from either a plant or an animal.

2. City shall pay Consultant for the additional services in accordance with the fee schedule set forth in Exhibit "A," attached hereto and incorporated herein by this reference.
3. Consultant's compensation for the extension period ending July 31, 2020 shall not exceed One Hundred Twenty-One Thousand Three Hundred Eighty-Two Dollars and Forty-Three Cents (\$121,382.43).
4. All terms not defined herein shall have the same meaning and use as set forth in the Agreement.
5. All other terms, conditions, and provisions of the Agreement, as amended, not in conflict with this Amendment shall remain in full force and effect.

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

Don Amador
City Manager

Date: 10/3/19

CONSULTANT

Jay B. Wane
Signature
Jay B Wane GM
Name and Title

Date: 9/18/19

ATTEST:

Brenda Green 10/8/19
City Clerk



APPROVED AS TO FORM:

Kimberly Hall Barber
City Attorney

Date: 10/3/19

APPROVED AS TO INSURANCE:

[Signature]
Risk Management

Date: 10/1/19

APPROVED AS TO CONTENT:

Raja Sekhraman
Project Manager

Date: 10-1-19

APPROVED AS TO PURCHASING:

Kellyatan
Finance Director

Date: 9/26/19

EXHIBIT A

ORGANICS PROGRAM FEE SCHEDULE

City Facilities	Bin Size (CY)	2019-2020 Bin Freq.	Delivery (one-time)	2019-2020 Monthly Rates
City Hall	65g	1	\$25	\$97.00
Senior Center	65g	1		\$97.00