

RESOLUTION NO. 19-58

A RESOLUTION BY THE CITY COMMISSION OF THE CITY OF EUSTIS, LAKE COUNTY, FLORIDA, AMENDING AND RESTATING THE CITY'S CONTRACT WITH WASTE MANAGEMENT INC. OF FLORIDA, MODIFYING COLLECTION SCHEDULES TO ACCOMMODATE HOLIDAYS.

This Fifth Addendum to the Solid Waste and Recycling Collection Contract by and between WASTE MANAGEMENT INC. OF FLORIDA, a Florida corporation, (hereinafter referred to as "CONTRACTOR") and THE CITY OF EUSTIS, a Florida municipal corporation (hereinafter referred to as "CITY") is dated this 20th day of June 2019.

WHEREAS, the City and Contractor entered into an Amended and Restated Solid Waste and Recycling Collection and Disposal Contract dated on or about January 1, 2002, whereby the Contractor would collect solid waste and recyclables within the corporate boundaries of the City (the "Contract"); and

WHEREAS, the parties entered into the First Addendum to the Contract on February 19, 2009; and

WHEREAS, parties entered into the Second Addendum to the Contract on January 19, 2012; and

WHEREAS, the parties entered into the Third Addendum to the Contract on or about December 4, 2014; and

WHEREAS, the parties entered into the Fourth Addendum to the Contract on or about December 7, 2017; and

WHEREAS, the parties desire to modify the Contract to require collection services to occur in the same week as an observed holiday; and

WHEREAS, the Contract is ongoing and not in material breach by either party as of the date of this Fifth Addendum.

IT IS NOW THEREFORE AGREED:

The Amended and Restated Solid Waste and Recycling Collection and Disposal Contract between the City of Eustis and Waste Management Inc. of Florida , as amended by the First Addendum to Contract dated February 19, 2009, Second Addendum to Contract dated January 19, 2012, Third Addendum to Contract dated December 4, 2014, Fourth Addendum to Contract dated December 7, 2017, and Fifth Addendum to Contract is modified as follows: (Capitalized terms have the meaning as set forth in the Contract. Additions are shown by underline; deletions by ~~strikethrough~~).

1. Section 8 HOLIDAYS is modified to read as follows:

The CONTRACTOR shall not be required to provide Residential Solid Waste Collection Services, or Curbside Residential Recycling Collection Services or maintain office hours on Thanksgiving, Christmas, or New Year's Day, Memorial Day, the 4th of July, and Labor Day.

Residential Solid Waste (Garbage, Rubbish, Recycling or Yard Trash) which is scheduled for pick-up but which is not collected on the holidays shall be collected on the next scheduled work day. ~~Recyclable Materials which are scheduled for pick-up but which are not collected on the holidays shall be collected forty-eight (48) hours before or after the holiday, as determined by the CONTRACTOR.~~ Collection service regularly scheduled for that workday will be serviced the following workday through the end of the week. Example: If a holiday falls on a Wednesday, regular Wednesday collection will be performed on Thursday, regular Thursday collection will be performed on Friday and regular Friday collection will be performed on Saturday. The CONTRACTOR shall notify the residents at least two (2) weeks in advance of the holiday schedule.

2. This Fifth Addendum shall be effective July 1, 2019.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Eustis, Lake County, Florida, does hereby approve the Fifth Addendum to the Contract by and between Waste Management Inc. of Florida and the City reflecting a change of collection services due to holiday schedules.

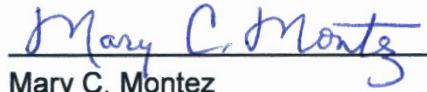
DONE AND RESOLVED, this 20th day of June 2019, in regular session of the City Commission of the City of Eustis, Lake County, Florida.

**CITY COMMISSION OF THE
CITY OF EUSTIS, FLORIDA**



Michael L. Holland
Mayor/Commissioner

ATTEST:



Mary C. Montez
City Clerk



