

**SECOND AMENDMENT TO THE
LICENSE AGREEMENT**

This Second Amendment (the "Amendment") to the License Agreement is made and entered into this ___ day of _____, 2022, between the City of Grand Rapids, Minnesota ("Licensor") and Waste Management of Minnesota, Inc. ("Licensee").

Recitals

- A. The Licensor and Licensee entered into the License Agreement on August 1, 2012 and amended on April 10, 2017 (the "License").
- B. The Licensor and Licensee each desire to amend the License to provide for the following changes:

Agreement

The parties agree to amend the License in the following manner:

- 1. The term of the License shall be extended for the second additional five (5) year term commencing August 1, 2022 through and including July 31, 2027 ("Term").
- 2. The License may be extended for an additional 5 year term upon mutual written agreement between the Licensor and Licensee notifying the other party ninety (90) days in advance of the end of the License.
- 3. The pricing information contained in Attachment A to the License shall be replaced entirely by the Attachment A attached hereto and incorporated into the License by reference.

Except as aforementioned herein, all other terms of the License would continue in full force and effect.

IN WITNESS WHEREOF, Licensor and Licensee have entered into this Second Amendment to License Agreement that was executed on August 1, 2012. All terms of said License remain in full force and effect unless modified by this Amendment.

CITY OF GRAND RAPIDS

WASTE MAMANGEMENT OF MINNESOTA, INC.

BY: _____
Mayor Dale Christy

BY: _____

Its: _____

ATTEST:

BY: _____

Kim Gibeau-Johnson
City Clerk

Its: _____

By: _____
Chad B. Sterle, City Attorney
Approved as to Form and Content

ATTACHMENT A

Monthly Refuse and Recycling Rates Per Household

	<u>Cart Sizes</u>	
32 -35 Gallon (Senior Rate)		\$9.38* per month
32-35 Gallon		\$16.99* per month
60-65 Gallon		\$20.99* per month
90-96 Gallon		\$25.99* per month
Recycling, Any Size		\$5.11 per month
Recycling, Additional Cart		\$0.00

*All refuse prices are exclusive of Tax, and would begin as shown August 1, 2022.

Licensee shall provide a 32, 64, or 96 gallon recycling cart at the \$5.11 per month rate to each customer who purchases trash collection. If a larger or additional recycling cart is needed, the larger or extra cart will be provided at no additional charge.

Residential trash and recycling collection shall be scheduled on the same day of the week.

Waste Management will implement an annual price adjustment on the anniversary of the contract starting with first adjustment on 8/1/2023. The scheduled increase per cart will be 100% of the change in the Consumer Price Index (“CPI”) Water, Sewer, Trash (“WST”) 12 month rolling average published by the Bureau of Labor Statistics.

In addition, the charges shall be adjusted to reflect any new or increases in disposal costs, federal, state, county, or local taxes or fees.

Waste Management’s Donations to the City of Grand Rapids

- Curbside Spring and Fall yard waste clean ups
- Riverfest garbage and recycling up to five 8-yard containers (5 trash/3 recycling) and 40 carts
- Grand Jam garbage and recycling up to five 8-yard containers (5 trash/3 recycling) and 40 carts
- Grand Rapids High School two \$500.00 Scholarships Annually

Fuel Surcharge Table for the City of Grand Rapids

The published index for determining monthly diesel prices will be the Department of Energy’s (DOE) “Weekly Retail On-Highway Diesel Prices” for the Midwest region. The price published for the first Monday of the month will be used as that month’s diesel fuel price. The prices can be viewed at the DOE’s website: (“EIA/DOE”). If diesel fuel is below \$5.00 per gallon, the fuel surcharge will be 0 percent. If diesel fuel is at or above \$5.00 per gallon, the following percentages will apply to Waste Management’s base rate.

<u>Diesel Fuel Price per Gallon</u>	<u>Fuel Surcharge</u>
<\$5.00	0%
\$5.00 to \$5.24	2%
\$5.25 to \$5.49	4%
\$5.50 to \$5.74	5%

For every \$0.25 per gallon increase above \$5.75 The Fuel Surcharge will increase by 1%