

RESOLUTION NO 2024 – 068
CITY OF LAKE CITY, FLORIDA

A RESOLUTION OF THE CITY OF LAKE CITY, FLORIDA APPROVING THAT CERTAIN SECOND AMENDMENT TO THE AMENDED AND RESTATED CONTRACT FOR COLLECTION & DISPOSAL SERVICES FOR SOLID WASTE & RECYCLING BETWEEN THE CITY AND WASTE PRO OF FLORIDA, INC., A FLORIDA CORPORATION; FINDING SAID SECOND AMENDMENT, AMONG OTHER THINGS, EXTENDS SAID CONTRACT; MAKING CERTAIN FINDINGS OF FACT IN SUPPORT OF THE CITY APPROVING SAID SECOND AMENDMENT; RECOGNIZING THE AUTHORITY OF THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID SECOND AMENDMENT; DIRECTING THE MAYOR TO EXECUTE AND BIND THE CITY TO SAID SECOND AMENDMENT; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lake City (“City”) and Waste Pro of Florida, Inc., a Florida corporation (“Waste Pro”), are parties to that certain Amended and Restated Contract for Collection and Disposal Services for Solid Waste and Recycling effective October 1, 2014 (the “Original Agreement”); and

WHEREAS, the Original Agreement provided Waste Pro would render to the City certain collection and disposal services for solid waste and recycling, establishing fees in compensation therefor, and establishing an index to adjust pricing to account for inflationary factors; and

WHEREAS, the Original Agreement has been routinely amended to adopt relevant and timely terms concerning fees and scope of services; and

WHEREAS, the City and Waste Pro mutually desire to amend the terms of the Original Agreement to provide for an extension of sixty (60) days in the form of the Exhibit attached hereto (the “Amendment”) to allow for the negotiation of a more comprehensive, longer term extension; and

WHEREAS, the Amendment retains the same level of service during the sixty (60) day period; and

WHEREAS, approving the Amendment is in the public interest and in the interests of the City; now therefore

BE IT RESOLVED by the City Council of the City of Lake City, Florida:

1. Approving the Amendment is in the public or community interest and for public welfare; and
2. In furtherance thereof, the Amendment in the form of the Exhibit attached hereto should be and is approved by the City Council of the City of Lake City; and
3. The Mayor of the City of Lake City is the officer of the City duly designated by the City’s Code of Ordinances to enforce such rules and regulations as are adopted by the City Council of the City of Lake City; and
4. The Mayor of the City of Lake City is authorized and directed to execute on behalf of and bind

the City to the terms of the Amendment; and

5. All prior resolutions of the City Council of the City of Lake City in conflict with this resolution are hereby repealed to the extent of such conflict; and
6. This resolution shall become effective and enforceable upon final passage by the City Council of the City of Lake City.

APPROVED AND ADOPTED, by an affirmative vote of a majority of a quorum present of the City Council of the City of Lake City, Florida, at a regular meeting, this ____ day of September, 2024.

BY THE MAYOR OF THE CITY OF LAKE CITY,
FLORIDA

Stephen M. Witt, Mayor

ATTEST, BY THE CLERK OF THE CITY COUNCIL
OF THE CITY OF LAKE CITY, FLORIDA:

Audrey Sikes, City Clerk

APPROVED AS TO FORM AND LEGALITY:

Clay Martin, City Attorney

**SECOND AMENDMENT TO AMENDED AND RESTATED CONTRACT FOR COLLECTION &
DISPOSAL SERVICES FOR SOLID WASTE & RECYCLING**

THIS AGREEMENT, hereinafter referred to as the “Second Amendment”, by and between the CITY OF LAKE CITY, a political subdivision of the State of Florida, hereinafter referred to as the “City”, and WASTE PRO OF FLORIDA, INC., a Florida corporation authorized to transact business in the State of Florida, hereinafter referred to as the “Contractor”.

WHEREAS, the City and Contractor entered into a five year agreement (hereinafter “Initial Agreement”) on the 9th day of September, 2014, for Contractor to provide solid waste collection services within the City; and

WHEREAS, the City and Contractor entered into an agreement on October 1, 2019 extending the Initial Agreement for a five year period through September 30, 2024; and

WHEREAS, the City and Contractor desire to enter into a second amendment to the Initial Agreement extending the initial terms for an additional sixty (60) days through November 29, 2024; and

WHEREAS, the parties intend for all other terms to remain in full force and unchanged unless stated otherwise below;

NOW, THEREFORE, in consideration of the premises and the mutual promises and undertakings herein contained, and for other good and valuable consideration which the parties acknowledge, the parties agree as follows:

1. The City and Contractor mutually agree to extend the solid waste collection agreement until November 29, 2024, unless the parties mutually agree to a different term in writing.
2. Pricing for this sixty (60) day period commencing on October 1, 2024 shall be established pursuant to an adjustment to the fiscal year 2023 – 2024 rates calculated in accordance with Article XIV of the Initial Agreement.
3. All other terms, conditions, responsibilities, and obligations found in the initial agreement shall remain in full force and effect with no other modifications.

IN WITNESS WHEREOF, the parties have caused this Amendment to the Agreement to be executed for the uses and purposes herein expressed on the day and year first written.

CITY OF LAKE CITY, FLORIDA

By: Exhibit -- Not for Execution
Mayor, City of Lake City

Date: _____

WASTE PRO OF FLORIDA, INC.

By: Exhibit -- Not for Execution
Brian Wintjen, Regional Vice President

Date: _____

**EXHIBIT TO
RESOLUTION**

**NOT FOR
EXECUTION**