

**AMENDMENT TO CONTRACT
FOR SOLID WASTE COLLECTION AND DISPOSAL**

THIS AMENDMENT (the "Amendment") executed this 12th day of January 2021 (the "Effective Date"), by and between the City of Los Fresnos, TX, (the "City") 520 E. Ocean Blvd, Los Fresnos, TX 78566 and BFI Waste Services of Texas, LP, a Delaware limited partnership d/b/a/Allied Waste Services of Rio Grande Valley (the "Contractor"), 9402 W. Expressway 83, Harlingen, TX 78552.

RECITALS

A. City and BFI Waste Services of Texas, LP, entered into a Contract for Solid Waste Collection and Disposal Services dated October 11, 2011 (the "Contract").

B. City and Contractor desire to extend the term of the Contract and otherwise amend the Contract.

AGREEMENT

NOW, THEREFORE, City and Contractor, for good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, hereby agree as follows:

1. Term. The parties agree that in lieu of the automatic five-year renewals set forth in Section 10 of the Contract, the Contract shall be extended for a five (5) year period commencing October 1, 2021 and ending September 30, 2026 (the "Renewal Term"). The term shall be automatically extended for additional five (5) year terms unless either party notifies the other party in writing of its intention not to so renew, not less than ninety (90) days prior to the expiration of the then current term. Any such written notice shall be served by certified mail, return receipt requested.

2. Rates. Commencing on October 1, 2021, rates for the extension of the Contract shall be as set forth in Exhibit A attached to this Amendment, subject to any modification of rates set forth in the Contract year over year.

3. Modification of Rates. Section 13.02(a) is deleted and replaced with the following:

Beginning on October 1, 2022, Contractor shall increase the rates for all Services effective on each anniversary of the Effective Date of this Contract in an amount equal to the percentage increase in the Consumer Price Index for All Urban Consumers (Water, Sewer and Trash Collection Services) U.S. City Average, as published by United States Department of Labor, Bureau of Statistics (the "CPI"). For the CPI calculation, rates will be adjusted using the most recently available trailing twelve (12) months average CPI compared to the twelve (12) months preceding for the month of June. Increases enacted under this section shall not exceed 4% per year during the term of this Contract.

4. Continuing Effect. Except as expressly modified or amended by this Amendment, all terms and conditions of the Contract shall remain in full force and effect. In the case of a conflict between the Contract and this Amendment, this Amendment shall prevail.

5. Execution in Counterparts. This Amendment may be executed in any number of counterparts, each of which shall be deemed an original.

IN WITNESS WHEREOF, the parties have entered into this Amendment as of the Effective Date set forth above.

City of Los Fresnos,

**BFI Waste
Services of Texas, LP
By: Allied Waste Landfill
Holdings, Inc., Its General Partner**

By: [Signature]

Name: Alejandro Flores

Title: Mayor

ATTEST:

By: [Signature]
Name: Jaqueline Moya
Title: City Secretary



By: [Signature]

Name: Omar Rodriguez

Title: Municipal Sales Manager

EXHIBIT A

Residential Rates 2021-2022

Item	Description	Rates
1	Residential Service once/week	\$ 11.56
2	Extra Cart	\$ 7.13
3	Small Commercial once/week - 1 Cart	\$ 12.44
4	Small Commercial once/week - Extra Cart	\$ 7.13
5	Brush Service once/month	\$ 6.56
6	Tires	\$ 0.06

Commercial Rates 2021-2022

Container Size	1 x wk	2 x wk	3 x wk	4 x wk	5 x wk	6 x wk
2 cubic yard	\$ 74.79	\$ 140.24	\$ 207.01	\$ 265.77	\$ 327.22	\$ 394.00
3 cubic yard	\$ 89.48	\$ 172.29	\$ 248.41	\$ 324.55	\$ 399.35	\$ 475.46
4 cubic yard	\$ 104.18	\$ 188.31	\$ 285.82	\$ 383.31	\$ 467.46	\$ 551.60
6 cubic yard	\$ 158.94	\$ 284.48	\$ 410.03	\$ 535.57	\$ 661.11	\$ 786.66
8 cubic yard	\$ 174.96	\$ 316.54	\$ 458.10	\$ 599.69	\$ 741.24	\$ 882.82
30 cubic yard	Haul Rate	\$ 252.77	Tonnage Rate	\$ 37.86	Rental Rate	\$ 6.48