

**FOURTH AMENDMENT TO SOLID WASTE AND RECYCLING  
COLLECTION SERVICES AGREEMENT**

This Fourth Amendment ("Fourth Amendment" hereafter) is made as of the \_\_\_\_ day of \_\_\_\_\_, 2022, by and between the **Town of Loxahatchee Groves**, a municipal corporation organized and existing under the laws of the State of Florida, ("Town"), and **Coastal Waste & Recycling of Palm Beach County, LLC**, a company authorized to do business in the State of Florida ("Coastal").

**RECITALS**

WHEREAS, the parties entered into a Solid Waste and Recycling Collection Services Agreement which was amended by the First Amendment and the Second Amendment all on November 5, 2019, and the Third Amendment on August 17, 2021 (collectively, the "Agreement"); and

WHEREAS, the Agreement provides for specific rates to be charged to the customers within the Town by Coastal; and

WHEREAS, the Agreement provides for the ability for Coastal to petition the Town for a rate adjustment on the basis of extraordinary and unusual changes in the cost of operations that could not reasonably be foreseen by a prudent operator; and

WHEREAS, in accordance section 6.D. of the Agreement, Coastal has petitioned the Town for a rate adjustment based on the extraordinary and unusual increase in fuel prices; and

WHEREAS, the Town has determined it to be in the best interests of the residents of the Town to amending the rates as requested.

NOW, THEREAFORE, in consideration of the mutual promises set forth herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Recitals. The parties agree that the recitals set forth above are true and correct and are fully incorporated herein by reference.
2. Amendment to Exhibit I, "Residential Collection", "Commercial Collection", "Special Services Rates", and "Monthly Container Maintenance Fees". Exhibit I of the Agreement is hereby deleted in its entirety and replaced with the Exhibit I as attached to this Third Amendment.
3. Entire Agreement. The Town and Coastal agree that this Fourth Amendment, in addition to terms of the Agreement, as previously modified as stated herein set forth the entire agreement between the parties, and that there are no promises or understandings other than those stated herein. None of the provisions, terms and conditions contained in the Agreement including the First, Second, Third and this Fourth Amendments thereto may be

4. Legal Effect. This Fourth Amendment shall not become binding and effective until approved by the Town Council.
5. Counterparts. This Fourth amendment may be executed in one or more counterparts, each of which shall be deemed an original, and will become effective and binding upon the parties as of the effective date at such time as all the signatories hereto have signed a counterpart of this Fourth Amendment.
6. Amendment. Except for the provisions of the Agreement specifically modified by this Fourth Amendment, all other terms and conditions of the Agreement as amended shall remain in full force and effect.

# TOWN OF LOXAHATCHEE GROVES, FLORIDA

ATTEST

Approved as to form and legal sufficiency:

# COASTAL WASTE & RECYCLING OF PALM BEACH COUNTY, LLC

By: \_\_\_\_\_

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

[Corporate Seal]

STATE OF FLORIDA )  
COUNTY OF \_\_\_\_\_)

The foregoing instrument was acknowledged before me by means of \_\_\_ physical presence or \_\_\_ online notarization this \_\_\_\_\_ day of \_\_\_\_\_, 2022 by \_\_\_\_\_, as \_\_\_\_\_ of Coastal Waste & Recycling of Palm Beach County, LLC, a company authorized to do business in the State of Florida, and who is personally known to me or who has produced the following \_\_\_\_\_ as identification.

Notary Public

\_\_\_\_\_

Print Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_