

**CITY OF HOLLYWOOD  
INTEROFFICE MEMORANDUM**

**TO:** Mayor and Commissioners **DATE:** September 29, 2015

**FROM:** Jeffrey P. Sheffel, City Attorney

**SUBJECT:** Proposed Third Amendment to the Agreement with Waste Pro of Florida, Inc. for solid waste and commingled waste collection services to include the residential areas of Arapahoe Farms and Young Israel for such services as well as amend Article VIII relating to the rate adjustment formula to reflect the new fuel index.

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I have discussed the above Agreement with the participating Department/Office, and the proposed general business terms and other significant provisions are as follows:

- 1) Department/Division involved – Department of Public Works
  - 2) Type of Agreement – Third Amendment
  - 3) Method of Procurement (RFP, bid, etc.) – Bid Number F-4153-08-LS
  - 4) Term of Contract
    - a) initial – 10 years
    - b) renewals (if any) – 2 additional 2 year periods
    - c) who exercises option to renew – City reserves the right to renew under the same terms, conditions and specifications, however subject to cost adjustment as provided in the Bid, providing both parties agree to the renewal, Contractor performed satisfactorily; and such renewal is approved by the City.
  - 5) Contract Amount – The contract amount annually will increase from \$5,410,765.44 to \$5,423,440.32.
  - 6) Termination rights – Either party may terminate for cause.
  - 7) Indemnity/Insurance Requirements – Contractor shall comply with applicable City requirements.
  - 8) Scope of Services – This amendment sets forth that Waste Pro will provide solid waste and commingled waste collection services to 81 residential homes (consisting of the areas of Arapahoe Farms and Young Israel). In addition, Article VIII entitled “Hollywood Rate Adjustment” allows for an annual service fee adjustment based upon a formula which include a Fuel Index change and expressly used the No. 2. Diesel Low Sulfur Commercial Price Fuel Index which is no longer in existence, therefore requiring the parties to agree upon another Fuel Index category which will be the Ultra Low Sulfur Diesel.
  - 9) Other significant provisions – n/a
- cc: Wazir A. Ishmael, Ph.D., City Manager

