AMENDMENT No. 2 TO

UNIFIED FRANCHISE AGREEMENT

FOR THE EXCLUSIVE COLLECTION OF SOLID WASTE AND RECYCLABLES IN UNINCORPORATED MONTEREY COUNTY BETWEEN COUNTY OF MONTEREY

AND

USA WASTE OF CALIFORNIA, INC. DBA CARMEL MARINA CORPORATION

THIS AMENDMENT No. 2 is made to the UNIFIED FRANCHISE AGREEMENT FOR THE EXCLUSIVE COLLECTION OF SOLID WASTE AND RECYCLABLES IN UNINCORPORATED MONTEREY COUNTY dated February 9, 2010, and amended, pursuant to AMENDMENT No. 1 dated February 3, 2012 (hereafter, "AGREEMENT") by and between the County of Monterey (hereafter, "County") and USA Waste of California Inc., dba Carmel Marina Corporation (hereafter, "Contractor") (collectively referred to as, the "Parties").

WHEREAS, County and Contractor wish to amend the AGREEMENT to adjust collection rates, effective January 1, 2013, for services provided by Contractor.

NOW THEREFORE, County and Contractor hereby agree to amend the AGREEMENT in the following manner:

- Amend Article 13, at Section 13.13 Adjustments to Service Rates, Surcharges and Fees to replace the referenced Exhibit 1 "Approved Rates and Charges," approved and adopted pursuant to AMENDEMENT No. 1 with the attached new Exhibit 1 "Approved Rates and Charges" approved and adopted pursuant to this AMENDMENT No. 2.
- 2. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this AMENDMENT No. 2 and shall continue in full force and effect as set forth in the AGREEMENT.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT No. 2 as of the last date opposite the respective signatures below.

COUNTY:	CONTRACTOR:
By:	Ву:
Name: Ray Bullick	Name:
Title: Director of Health	Title:
	Chair, Pres. or Vice Pres.
Date:	Date:
Approved as to form and legality:	By:
	Title:
Mary Grace Perry, Deputy County Counsel	Secretary, Assistant Secty,
	CFO or Assistant Treasurer
D-4-	Deter
Date:	Date:

COLLECTION SERVICE RATES

SINGLE FAMILY DWELLING COLLECTION SERVICE

SOLID WASTE		MONTHLY	SOLID WASTE	MONTHLY
1ST CONTAINER		RATE	ADDITIONAL CONTAINER	RATE
	CAN (32 GAL)	26.43	CAN (32 GAL)	21.14
	20 GAL CART	22.17	20 GAL CART	17.74
	35 GAL CART	26.96	35 GAL CART	21.56
	64 GAL CART	42.26	64 GAL CART	33.81
	96 GAL CART	52.83	96 GAL CART	42.26

Above rates include Solid Waste container requested, up to 96 gallons in Recycling and up to 96 gallons in Green Waste

RECYCLING	MONTHLY	GREEN WASTE	MONTHLY
ADDITIONAL CONTAINER	RATE	ADDITIONAL CONTAINER	RATE
CAN (32 GAL)	13.21	CAN (32 GAL)	13.21
35 GAL CART	13.47	35 GAL CART	13.47
64 GAL CART	21.13	64 GAL CART	21.13
96 GAL CART	26.42	96 GAL CART	26.42

Can refers to customer owned 32 gallon container

ANCILLARY SERVICES	MONTHLY RATE	
Backyard Service	20.22	for default services, 3 containers
Backyard Service	6.75	each container
Difficult to Service	150%	of base rate

All of the below rates are per occurence.

Additional Cart Exchange	75.35	each, in excess of 1 per year
Additional Cart Replacement	75.35	each, in excess of subscribed container quantity
Excess On-Call Collection Capacity	52.88	each yard, above 5 yards, for the included on-call collection
Additional On-Call Collection Capatity	52.88	each yard, for subsequent on-call collections
Un-containerized Material Surcharge	0.53	per gallon, in excess of 1 occurrence
Return for Inaccessible Containers	52.88	over 2 times per year
Composting Bin Delivery	105.76	
NSF Fee	25.00	bad check fee
Late Payment Fee	1.5%	\$5.00 minimum not compounded

COLLECTION SERVICE RATES

MFD & COMMERCIAL CART RATES

SOLID WAST	E	MONTHLY RATE BASED ON SERVICES PER WEEK				EK		
1ST CONTAIL	NER	RATE	1 2 3 4 5 6			6		
	20 GAL CART	23.26	23.26	46.52	69.78	93.04	116.30	139.56
	35 GAL CART	28.54	28.54	57.08	85.62	114.16	142.70	171.24
545	64 GAL CART	44.41	44.41	88.82	133.23	177.64	222.05	266.46
	96 GAL CART	54.99	54.99	109.98	164.97	219.96	274.95	329.94
	CAN (32 GAL)	28.03	28.03	56.06	84.09	112.12	140.15	168.18

SOLID WAST	E		MONTHLY RATE BASED ON SERVICES PER WEEK			EK		
ADDITIONAL	CONTAINER	RATE	1	2	3	4	5	6
	20 GAL CART	18.60	18.60	37.20	55.80	74.40	93.00	111.60
	35 GAL CART	22.83	22.83	45.66	68.49	91.32	114.15	136.98
	64 GAL CART	35.53	35.53	71.06	106.59	142.12	177.65	213.18
	96 GAL CART	43.99	43.99	87.98	131.97	175.96	219.95	263.94
	CAN (32 GAL)	22.43	22.43	44.86	67.29	89.72	112.15	134.58

Can refers to customer owned 32 gallon container

MFD/commercial cart/can customers eligible for 1 cart up to 96 gallons for recyclables at no charge for each solid waste cart or can.

RECYCLING ADDITIONAL CART	ja	MONTHLY RATE	GREEN WASTE SUBSCRIPTION CART	MONTHLY RATE
	35 GAL CART	14.27	· · · · · ·	
	64 GAL CART	22.20	64 GAL CART	22.20
	96 GAL CART	27.50	96 GAL CART	27.50

Roll Out Service: 6.75 per cart

Difficult to Service Customers; 150% of base rate

All of the below rates are per occurence.

Cleaning Fee	75.42	each cart
Additional Cart Exchange	75.42	each, in excess of 1 per year
Additional Cart Replacement	75.42	each, in excess of subscribed container quantity
Excess On-Call Capacity	52.93	per yard, Multifamily customers only
Subscription On-Call Capacity	52.93	per yard
Un-containerized Material Surcharge	0.53	per gallon
Return for Inaccessible Containers	52.93	over 2 times per year
Lock Fee Greater of	26.46	per month per enclosure
Lock ree Greater or	10.59	per month per container
Composting Bin Delivery	105.85	
Reactivation Fee	26.46	after County approved service suspension
NSF Fee	25.00	bad check fee
Late Payment Fee	1.5%	\$5.00 minimum not compounded

FORM 3A

COLLECTION SERVICE RATES

MFD & COMMERCIAL BIN RATES in the MRWMD

SOLID WASTE

NON-COMPACTED	BINS	MONTHLY RATE BASED ON SERVICES PER					
CUBIC YARDS	Per Yard	1	2	3	4	5	6
1	104.21	104.21	208.42	312.63	416.84	521.05	625.26
1.5	92.23	138.35	276.69	415.04	553.38	691.73	830.07
2	80.24	160.48	320.96	481.44	641.92	802.40	962.88
3	80.24	240.72	481.44	722.16	962.88	1,203.60	1,444.32
4	77.12	308.48	616.96	925.44	1,233.92	1,542.40	1,850.88
6	73.99	443.94	887.88	1,331.82	1,775.76	2,219.70	2,663.64
8	70.86	566.88	1,133.76	1,700.64	2,267.52	2,834.40	3,401.28

At 25% of base	At 50% base
rate	rate

1000
Special Pick Up
Non routed day
52.11
69.17
80.24
120.36
154.24
221.97
283.44

COMPACTED BINS	MONTHLY RATE BASED ON SERVICES PER WEEK						
CUBIC YARDS	Per Yard	1	2	3	4	5	6
1	208.42	208.42	416.84	625.26	833.68	1,042.10	1,250.52
2	160.48	320.96	641.92	962.88	1,283.84	1,604.80	1,925.76
3	160.48	481.44	962.88	1,444.32	1,925.76	2,407.20	2,888.64
4	154.23	616.92	1,233.84	1,850.76	2,467.68	3,084.60	3,701.52
5	151.10	755.50	1,511.00	2,266.50	3,022.00	3,777.50	4,533.00
6	147.98	887.88	1,775.76	2,663.64	3,551.52	4,439.40	5,327.28
7	144.85	1,013.95	2,027.90	3,041.85	4,055.80	5,069.75	6,083.70
8	141.73	1,133.84	2,267.68	3,401.52	4,535.36	5,669.20	6,803.04

Extra Pick Up	Special Pick Up
On routed day	Non routed day
52.11	104.21
80.24	160.48
120.36	240.72
154.23	308.46
188.88	377.75
221.97	443.94
253.49	506.98
283.46	566.92

Service Rate for multiple Bins shall be calculated by multiplying the Container size by the number of Containers. Compacted rate is 2 times the uncompacted rate.

MFD/Commercial bin customers eligible for 1/2 of solid waste capacity in recycling bin or cart service at no charge. Compacted solid waste counts as 2 times uncompacted for recycling calculation.

For example, (1) 4 cubic yard compacted solid waste bin eligible for (1) 4 cubic yard recyclables bin at no charge.

ADDITIONAL RECYCLING - BINS

42.09	Per yard over free capacity	

For additional recycling carts and subscription green waste service, rates on Form 2 will apply.

PUSH RATES

1-25 ft	26-49 ft	50-75 ft	76-100 ft	101-125 ft	126+ ft
26.31	52.62	78.93	105.25	131.56	157.87

All of the above rates are monthly except extra and special pickups.

118.41	each bin
78.93	each, in excess of 1 per year
473.61	each, in excess of subscribed container quantity
98.67	per yard, Multifamily customers only
98.67	per yard
105.25	per yard
52.62	over 2 times per year
26.31	per month per enclosure
10.53	per month per container
105.25	
26.31	after County approved service suspension
25.00	bad check fee
1.5%	\$5.00 minimum not compounded
	78.93 473.61 98.67 98.67 105.25 52.62 26.31 10.53 105.25 26.31 25.00

FORM 3B

COLLECTION SERVICE RATES

MFD & COMMERCIAL BIN RATES in the SVSWA

SOLID WASTE

NON-COMPACTED	MONTHLY RATE BASED ON SERVICES PER WEEK						
CUBIC YARDS	Per Yard	1	2	3	4	5	6
1	153.42	153.42	306.84	460.26	613.68	767.10	920.52
1.5	138.07	207.11	414.21	621.32	828.42	1,035.53	1,242.63
2	122.73	245.46	490.92	736.38	981.84	1,227.30	1,472.76
3	118.13	354.39	708.78	1,063.17	1,417.56	1,771.95	2,126.34
4	113.53	454.12	908.24	1,362.36	1,816.48	2,270.60	2,724.72
6	108.93	653.58	1,307.16	1,960.74	2,614.32	3,267.90	3,921.48
8	104.32	834.56	1,669.12	2,503.68	3,338.24	4,172.80	5,007.36

At 25% of base	At 50% base
rate	rate

Extra Pick Up	Special Pick Up
On routed day	Non routed day
38.36	76.71
51.78	103.55
61.37	122.73
88.60	177.20
113.53	227.06
163.40	326.79
208.64	417.28

COMPACTED BINS	MONTHLY RATE BASED ON SERVICES PER WEEK						
CUBIC YARDS	Per Yard	1	2	3	4	5	6
1	306.84	306.84	613.68	920.52	1,227.36	1,534.20	1,841.04
2	245.46	490.92	981.84	1,472.76	1,963.68	2,454.60	2,945.52
3	236.26	708.78	1,417.56	2,126.34	2,835.12	3,543.90	4,252.68
4	227.06	908.24	1,816.48	2,724.72	3,632.96	4,541.20	5,449.44
5	222.46	1,112.30	2,224.60	3,336.90	4,449.20	5,561.50	6,673.80
6	217.86	1,307.16	2,614.32	3,921.48	5,228.64	6,535.80	7,842.96
7	213.25	1,492.75	2,985.50	4,478.25	5,971.00	7,463.75	8,956.50
8	208.63	1,669.04	3,338.08	5,007.12	6,676.16	8,345.20	10,014.24

Extra Pick Up	Special Pick Up
On routed day	Non routed day
76.71	153.42
122.73	245.46
177.20	354.39
227.06	454.12
278.08	556.15
326.79	653.58
373.19	746.38
417.26	834.52

Service Rate for multiple Bins shall be calculated by multiplying the Container size by the number of Containers. Compacted rate is 2 times the uncompacted rate.

MFD/Commercial bin customers eligible for 1/2 of solid waste capacity in recycling bin or cart service at no charge. Compacted solid waste counts as 2 times uncompacted for recycling calculation.

For example, (1) 4 cubic yard compacted solid waste bin eligible for (1) 4 cubic yard recyclables bin at no charge.

ADDITIONAL RECYCLING - BINS

			-		
42.52	2 Per	yard over	free	capacity	

For additional recycling carts and subscription green waste service, rates on Form 2 will apply.

PUSH RATES

-	1-25 ft	26-49 ft	50-75 ft	76-100 ft	101-125 ft	126+ ft
	26.58	53.15	79.73	106.30	132.88	159.45

All of the above rates are monthly except extra and special pickups.

Cleaning Fee	119.59	each bin
Additional Bin Exchange	79.73	each, in excess of 1 per year
Additional Bin Replacement	478.35	each, in excess of subscribed container quantity
Excess On-Call Capacity	99.65	per yard, Multifamily customers only
Subscription On-Call Capacity	99.65	per yard
Bin Overflow	106.30	per yard
Return for Inaccessible Containers	53.15	over 2 times per year
Lock Fee Greater of:	26.58	per month per enclosure
Lock ree Greater of.		per month per container
Composting Bin Delivery	106.30	
Reactivation Fee	26.58	after County approved service suspension
NSF Fee	25.00	bad check fee
Late Payment Fee	1.5%	\$5.00 minimum not compounded

FORM 4A

COLLECTION SERVICE RATES

MFD & COMMERCIAL ROLL-OFF RATES in the MRWMD

SOLID WASTE NON-COMPACTED BOXES

CUBIC YARDS	PER PULL
up to 6	333.84
7-8	384.84
9-10	435.60
11-15	486.35
16-20	522.42
21-30	592.96
31-40	724.68
41-50	867.64

SOLID WASTE COMPACTED BOXES

CUBIC YARDS	PER PULL
up to 6	446.67
7-10	498.21
11-15	599.20
16-20	700.19
21-30	828.86
31-40	960.21
41-50	1,152.50

Rates include all disposal Minimum weekly service, up to 6 times per week

Relocation	105.25	
Dry Run	157.87	trip charge, no haul
Stand By	210.49	per hour
Stand By	1,262.96	per day
Composting Bin Delivery	105.25	¥
Reactivation Fee	26.31	after County approved service suspension
NSF Fee	25.00	bad check fee
Late Payment Fee	1.5%	\$5.00 minimum not compounded
-		

All services are charged on a per occurrence basis.

MFD/Commercial box customers eligible for 1/2 of solid waste capacity in recyclables capacity at no charge. Compacted solid waste counts as 2 times uncompacted for recycling calculation.

ADDITIONAL RECYCLING - BINS

42.09	Per yard over free capacity

ADDITIONAL RECYCLING - BOXES

Customers with 90% clean recyclables loads eligible for the following discounted haul rates

_	over clean recy classes loads chisiste for the following discounted had rates
	50% Loads greater than 1.5 but less than 2.5 tons
	75% Loads greater than or equal to 2.5 tons

COLLECTION SERVICE RATES

MFD & COMMERCIAL ROLL-OFF RATES in the SVSWA

SOLID WASTE
NON-COMPACTED BOXES

DOMES		
CUBIC YARDS	PER PULL	
up to 6	387.94	
7-8	440.84	
9-10	514.33	
11-15	587.79	
16-20	675.96	
21-30	700.84	
31-40	856.37	
41-50	1,067.43	

SOLID WASTE
COMPACTED BOXES

CUBIC YARDS	PER PULL
up to 6	476.11
7-10	531.07
11-15	574.15
16-20	617.23
21-30	1,102.40
31-40	1,115.48
41-50	1,337.33

Rates include all disposal Minimum weekly service, up to 6 times per week

and the second second		1
Relocation	106.30	
Dry Run	159.45	trip charge, no haul
Stand By	212.60	per hour
Stand By	1,275.61	per day
Composting Bin Delivery	106.30	200
Reactivation Fee	26.58	after County approved service suspension
NSF Fee	25.00	bad check fee
Late Payment Fee	1.5%	\$5.00 minimum not compounded

All services are charged on a per occurrence basis.

MFD/Commercial box customers eligible for 1/2 of solid waste capacity in recyclables capacity at no charge. Compacted solid waste counts as 2 times uncompacted for recycling calculation.

ADDITIONAL RECYCLING - BINS

42.52	Per yard over free capacity

ADDITIONAL RECYCLING - BOXES

Customers with 90% clean recyclables loads eligible for the following discounted haul rates

rene elean recyclan	to touch on give for the following discounted fluct faces
50%	Loads greater than 1.5 but less than 2.5 tons
75%	Loads greater than or equal to 2.5 tons

COLLECTION SERVICE RATES

TEMPORARY ON-CALL BIN AND ROLL-OFF COLLECTION SERVICE

SOLID WASTE

BINS

SOLID WASTE NON-COMPACTED BOXES

CUBIC YARDS	PER PULL
1	98.69
1.5	124.08
2	149.46
3	224.18
4	286.42
6	410.88
0	522.94

CUBIC YARDS	PER PULL
up to 6	270.27
7-10	293.78
11-20	352.53
21-30	434.78
31-40	528.79
41-50	623.86

Customers may keep On-Call Bins and Roll-off Containers for five (5) Work Days, not counting the delivery and removal days.

SOLID WASTE COMPACTED BOXES

CUBIC YARDS	PER PULL
up to 6	337.84
7-10	367.21
11-15	403.94
16-20	440.66
21-30	543.48
31-40	660.99
41-50	778.50

Compacted boxes refers to customer-owned compactors

Provided on a temporary or irregular basis.

		1
Relocation	105.76	
Dry Run	158.64	trip charge, no haul
Demurrage Per Day	10.58	temporary rental, after five (5) days,
		not including delivery and removal days
Stand By	211.52	per hour
Stand By	1,269.10	per day
Composting Bin Delivery	105.76	
Reactivation Fee	26.44	after County approved service suspension
NSF Fee	25.00	bad check fee
Late Payment Fee	1.5%	\$5.00 minimum not compounded

All services are charged on a per occurrence basis.

Note: All Bin, compacted box and non-compacted box per pull service rates consist of collection rates and franchise fees only; disposal will be based on actual disposal costs plus a 10% franchise fee. The total customer rate will be the pull rate (collection and franchise fee), and disposal and the disposal franchise fee.

RECYCLING CAPACITY - BINS

42.30 Per yard

RECYCLING CAPACITY - ROLL-OFF

Customers with 90% clean recyclables loads eligible for the following discounted haul rates

70% cical recyclables loads eligible for the following discounted had rate	22
50% Loads greater than 1.5 but less than 2.5 tons	
75% Loads greater than or equal to 2.5 tons	

COLLECTION SERVICE RATES

SPECIAL EVENT RATES in the MRWMD

SOLID WASTE BINS

CUBIC YARDS PER LIFT 1 104.21 1.5 138.34 2 160.47 3 240.72 4 308.45 6 443.92 8 566.88

SOLID WASTE NON-COMPACTED BOXES

CUBIC YARDS	PER PULL
up to 6	333.84
7-10	384.84
11-20	522.42
21-30	592.96
31-40	724.68
41-50	867.64

Rates include all disposal

Special Event Collection Service eligible for equal solid waste capacity in recycling at no charge

ADDITIONAL RECYCLING - BINS

42.09	Per yard over free capacity	
12.07	i er yard over mee capacity	

ADDITIONAL RECYCLING - BOXES

Customers with 90% clean recyclables loads eligible for the following discounted haul rates

and the state of t				
50% Loads greater than 1.5 but less than 2.5 tons				
75% Loads greater than or equal to 2.5 tons				

	Relocation	105.25	
	Dry Run	157.87	trip charge, no haul
	Stand By	210.49	per hour
	Stand By	1,262.96	per day
Cleaning Fee		118.41	each container
Container Overflow		105.25	per yard
Lock Fee	Greater of:	26.31	per enclosure
LOCK FEE	Greater or.	10.53	per container
Reactivation Fee		26.31	after County approved service suspension
NSF Fee 25.		25.00	bad check fee
Late Payment Fee		1.5%	\$5.00 minimum not compounded

All services are charged on a per occurrence basis.

COLLECTION SERVICE RATES

SPECIAL EVENT RATES in the SVSWA

SOLID WASTE BINS

CUBIC YARDS PER LIFT 1 153.42 1.5 207.11 2 245.46 3 354.39 4 454.10 6 653.54 8 834.57

SOLID WASTE
NON-COMPACTED BOXES

CUBIC YARDS	PER PULL
up to 6	387.94
7-10	440.84
11-20	675.96
21-30	700.84
31-40	856.37
41-50	1,067.43

Rates include all disposal

Special Event Collection Service eligible for equal solid waste capacity in recycling at no charge

ADDITIONAL RECYCLING - BINS

42.52	Per yard over free capacity	
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ADDITIONAL RECYCLING - BOXES

Customers with 90% clean recyclables loads eligible for the following discounted haul rates

50%	Loads greater than 1.5 but less than 2.5 tons
75%	Loads greater than or equal to 2.5 tons

	Relocation	106.30	
Dry Run		159.45	trip charge, no haul
	Stand By	212.60	per hour
	Stand By	1,275.61	per day
Cleaning Fee		119.59	each container
Container Overflow		106.30	per yard
Lock F	ee Greater of:	26.58	per enclosure
LOCK	Ge Greater or.	10.63	per container
Reactivation Fee 26		26.58	after County approved service suspension
NSF Fee 25.00		25.00	bad check fee
Late Payment Fee 1.59		1.5%	\$5.00 minimum not compounded
			•

All services are charged on a per occurrence basis.

MAXIMUM RATES

EMERGENCY SERVICE RATES

EMPLOYEES

Labor Position	Hourly Rate	
Driver	158.64	
Supervisor	185.08	
Helper	105.76	

EQUIPMENT

Equipment Type	Make & Model	Hourly Rate	
Side Loader	Autocar	158.64	
Commercial Front End Loader	Autocar	185.08	
Rear End Loader	Autocar	158.64	
Roll Off	Autocar	158.64	
Flat Bed Truck	Autocar	79.32	

Collection Vehicle Travel Costs per Mile	7.41
concection venicle travel costs per mile	7.71

DISPOSAL COSTS PER GALLON AND CUBIC YARD

Form	2012 Disposal Cost	Disposal Increase	2013 Disposal Cost
Form 1 the average disposal cost per gallon.	\$0.0300	2.67%	\$0.0308
Form 2 the average disposal cost per gallon.	\$0.0300	2.67%	\$0.0308
Form 3A the average disposal cost per cubic yard in MRWMD.	\$2.9000	0.00%	\$2.9000
Form 3B the average disposal cost per cubic yard in SVSWA.	\$3.8100	4.69%	\$3.9887
Form 4A the average disposal cost per cubic yard in MRWMD.	\$2.9000	0.00%	\$2.9000
Form 4B the average disposal cost per cubic yard in SVSWA.	\$3.8100	4.69%	\$3.9887
Form 6A the average disposal cost per cubic yard in MRWMD.	\$2.9000	0.00%	\$2.9000
Form 6B the average disposal cost per cubic yard in SVSWA.	\$3.8100	4.69%	\$3.9887

This form reflects the change in Tipping fee only. This tab is informational only - Source is RRI Disposal Pct. Form 1&2 have a blended disposal factor because Tipping Fees of both JPA's are blended.

MRWMD does not have a known tipping fee increase effective 1/1/13.