

ORIGINAL

Second Amendment to the Agreement between County of San Mateo and Browning-Ferris Industries of California, Inc. for Landfill Operation

This SECOND AMENDMENT to the Agreement Between County of San Mateo and Browning-Ferris Industries of California, Inc. for Landfill Operation, dated August 17, 1999, (Agreement) and effective as of September 1, 1999, is made by and between Browning-Ferris Industries of California, Inc. (Owner), and the County of San Mateo (County).

RECITALS

WHEREAS, Owner and County entered into the Agreement regulating the operation of the Ox Mountain Landfill, including the rates levied for the services provided by the landfill; and,

WHEREAS, the Agreement contemplated that adjustments to the Landfill Rate Schedule (Exhibit B of the Agreement) might be necessary from time to time due to changes in state law or program changes; and,

WHEREAS, two fees paid by Owner from revenues collected by Owner pursuant to the current approved Landfill Rate Schedule (Exhibit B of the Agreement), to wit, the Integrated Waste Management Fee levied by the State of California, and the fee paid to recycle computer monitors and televisions received at the landfill, have increased or will increase on July 1, 2002, and Owner has requested an increase in the affected rates in the Landfill Rate Schedule (Exhibit B of the Agreement) to be effective on July 1, 2002, to offset said increases, and the County concurs with Owners request.

NOW, THEREFORE, the parties hereto agree to amend the Agreement as follows:

Exhibit B – Landfill Rate Schedule of the Agreement shall be superceded and replaced by **Exhibit B—Revised, Landfill Rate Schedule, Effective July 1, 2002**, attached hereto and made a part hereof by reference; which Exhibit B—Revised reflects an increase effective July 1, 2002, of \$0.06 per ton in the tipping rate charged for waste received at the landfill as tonnage, and establishes effective July 1, 2002, Special Rates of \$15.00 per computer monitor or television with less than a 21-inch diagonal screen and \$25.00 per computer monitor or television with a 21 inch diagonal screen or larger.

In all other respects, the Agreement shall remain unchanged.

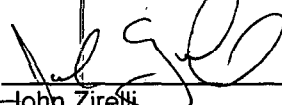
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IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the Agreement Between Count of San Mateo and Browning-Ferris Industries of California, Inc. for Landfill Operation on the date indicated below.

Date: _____

"Owner"

Browning-Ferris Industries of California, Inc.

By: 

John Zirelli
District Manager

"County"

County of San Mateo

By: _____
Jerry Hill, President
Board of Supervisors, County of San Mateo

Attest:

By: _____
John Maltbie
Clerk of the Board

**EXHIBIT B—Revised
Landfill Rate Schedule**

Effective July 1, 2002

Landfill Rate Schedule

Tipping Rates (Schedule A)

Revised July 1, 2002

Effective Date	Tonnage Basis (per ton)	Category of Waste Material	Yardage Basis (per cubic yard)	
	Franchised Haulers, Transfer Trucks, Roll-offs		Commercial Customer	Residential Customer
September 1, 1999	\$33.00	Clean Yard Waste or Wood Waste	\$10.00	\$5.00
		Other Municipal Solid Waste	\$14.00	\$7.00
January 1, 2001	\$35.50	Clean Yard Waste or Wood Waste	\$11.00	\$5.50
		Other Municipal Solid Waste	\$15.00	\$7.50
January 1, 2002	\$37.50	Clean Yard Waste or Wood Waste	\$11.50	\$5.50
		Other Municipal Solid Waste	\$16.00	\$8.00
July 1, 2002	\$37.56	Clean Yard Waste or Wood Waste	\$11.50	\$5.50
		Other Municipal Solid Waste	\$16.00	\$8.00
January 1, 2003	\$39.06	Clean Yard Waste or Wood Waste	\$12.00	\$6.00
		Other Municipal Solid Waste	\$16.50	\$8.50
January 1, 2004	\$40.56	Clean Yard Waste or Wood Waste	\$12.50	\$6.00
		Other Municipal Solid Waste	\$17.00	\$8.50
January 1, 2005	\$41.56	Clean Yard Waste or Wood Waste	\$12.50	\$6.50
		Other Municipal Solid Waste	\$17.50	\$9.00
January 1, 2006	\$42.56	Clean Yard Waste or Wood Waste	\$13.00	\$6.50
		Other Municipal Solid Waste	\$18.00	\$9.00
January 1, 2007	\$43.56	Clean Yard Waste or Wood Waste	\$13.00	\$6.50
		Other Municipal Solid Waste	\$18.50	\$9.00
January 1, 2008	\$44.56	Clean Yard Waste or Wood Waste	\$13.50	\$7.00
		Other Municipal Solid Waste	\$19.00	\$9.50
January 1, 2009	\$45.56	Clean Yard Waste or Wood Waste	\$14.00	\$7.00
		Other Municipal Solid Waste	\$19.50	\$9.50

Note:

1. Tipping Rates charged to Customers shall not exceed the Tipping Rates shown on this Schedule A Rate Schedule. All Waste Materials charged according to the Schedule A Tipping Rates shown above are subject to the applicable County Compensation Rates.

Landfill Rate Schedule

Special Rates (Schedule B)

Revised July 1, 2002

(Schedule B-1) Waste Materials for Which a Special Rate per Item Is Charged In-lieu of the Schedule A Tipping Rates:

Item	Special Rate (per item)
Mattress or Bedsprings	\$6.00
Refrigerator or Air Conditioner (with refrigerant removal cert.)	\$10.00
Appliances and White Goods	\$7.00
Water Heaters (50 gallon capacity or smaller)	\$7.00
Water Heaters (over 50 gallon capacity)	Determined by Owner on a case by case basis, without County approval
Sofa or Sofa Bed	\$6.00
Passenger Car Tire without rim	\$8.00
Passenger Car Tire with rim	\$11.00
Truck Tire without rim	\$21.00
Truck Tire with rim	\$26.00
Computer Monitor or Television (accepted for recycling)	
less than 21-inch diagonal screen	\$15.00
21-inch diagonal screen or larger	\$25.00
Note: The above listed Schedule B Waste Materials (for which a Special Rate per item is charged in-lieu of the Schedule A Tipping Rates) are not subject to any County Compensation Rates.	

(Schedule B-2) Waste Materials for Which a Special Rate, Determined by the Landfill Owner, Is Charged In-lieu of the Schedule A Tipping Rates:

Item	Special Rate
Auto Shredder Fluff (1)	Charged by the ton at a rate determined by the Owner. No County approval required for changes in rates
Sewage Sludge (2)	
Contaminated Soil (3)	Charged by the cubic yard at a rate determined by the Owner. No County approval required for changes in rates
Clean Fill (4)	
Notes:	
1.	Per Cubic Yard County Compensation Rates apply to Auto Shredder Fluff. Customers to be charged per ton; and one ton deemed to equal 2 cubic yards.
2.	Per Ton County Compensation Rates apply to Sewage Sludge.
3.	Per Cubic Yard County Compensations Rates apply to Contaminated Soil.
4.	County Compensation Rates do not apply to Clean Fill.

Landfill Rate Schedule

Special Handling Fees (Schedule C)

Revised July 1, 2002

Waste Materials for Which a Special Handling Fee as Shown May Be Charged in Addition to the Schedule A Tipping Rate:

Item	Special Handling Fee
Wire, Spring or Cable	\$9.00 per cubic yard
Concrete (Including Reinforced Concrete) Larger than 18 Inches in Any Dimension	
Tree Stumps	
Tree Trimmings contaminated by Dutch Elm Disease (10 cubic yards or less)	\$12.50
Tree Trimmings Contaminated by Dutch Elm Disease (additional charge for each cubic yard over 10 cubic yards)	\$1.25 per cubic yard
Special Handling Fees: Customers requiring assistance (e.g., help with load removal, supervised loads) may be subject to a special handling fee.	Determined by Owner on a case by case basis, without County approval