

**NINETEENTH AMENDMENT TO CONTRACT AGREEMENT
INDIAN RIVER COUNTY SOLID WASTE DISPOSAL DISTRICT,
INDIAN RIVER COUNTY, FLORIDA
SOLID WASTE OPERATIONS AND MAINTENANCE**

THIS NINETEENTH AMENDMENT TO CONTRACT AGREEMENT INDIAN RIVER COUNTY SOLID WASTE DISPOSAL DISTRICT, INDIAN RIVER COUNTY, FLORIDA SOLID WASTE OPERATIONS AND MAINTENANCE (“Fourteenth Amendment”) is entered into as of the ___ day of January, 2023 by and between Indian River County Solid Waste Disposal District, a dependent special district of Indian River County, Florida, whose address is 1801 27th Street, Vero Beach, Florida (hereinafter referred to as the “District” or “SWDD”), and Republic Services of Florida, Limited Partnership, whose address is 3905 Oslo Road, Vero Beach, Florida 32968 (the “Contractor”).

RECITALS

WHEREAS, on January 1, 2011, SWDD and Contractor entered into that certain Contract Agreement Indian River County Solid Waste Disposal District Indian River County, Florida Solid Waste Operations and Maintenance, as amended by the First Amendment to Contract Agreement, dated February 7, 2012; the Second Amendment to Contract Agreement, dated April 2, 2013; the Third Amendment to Contract Agreement, dated November 12, 2013; the Fourth Amendment to Contract Agreement, dated July 8, 2014; the Fifth Amendment to Contract Agreement, dated November 4, 2014; the Sixth Amendment to Contract Agreement, dated January 20, 2015; the Seventh Amendment to Contract Agreement, dated May 17, 2016; the Eight Amendment to Contract Agreement, dated December 15, 2016; the Ninth Amendment and Extension to Contract Agreement, dated February 21, 2017; the Tenth Amendment to Contract Agreement, dated September 12, 2017; the Eleventh Amendment to Contract Agreement, dated September 18, 2018; the Twelfth Amendment to Contract Agreement, dated September 10, 2019; and the Thirteenth Amendment to Contract Agreement, dated March 3, 2020; and the Fourteenth Amendment to Contract Agreement, dated July 14, 2020; and the Fifteenth Amendment to Contract Agreement, dated February 16, 2021; the Sixteenth Amendment to Contract Agreement, dated February 1, 2022; Seventeenth Amendment to Contract Agreement, dated April 5, 2022; and Eighteenth Amendment to Contract Agreement, dated October 18, 2022 (the “Contract”) for the Contractor to operate and maintain the SWDD landfill and customer convenience centers (“CCCs”); and

WHEREAS, on July 5, 2022, the SWDD Board approved a 3.00% Consumer Price Index (CPI), effective January 1, 2023, to increase the Class I Landfill MSW rate from \$14.19 per ton to \$14.62 per ton and to increase the Non-Class I Landfill Services from \$3,308,422.50 per year to \$3,407,675.18 per year; and

WHEREAS, under the terms of the Contract, the Contractor, at SWDD's request and subject to mutually satisfactory negotiated terms and acceptable compensation, shall provide additional services in connection with the Indian River County Landfill and the customer convenience centers not included above and as required by SWDD; and

WHEREAS, the Contractor and SWDD have mutually agreed to revise the Contract as set forth herein.

NOW THEREFORE, in consideration of the mutual undertakings herein and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree, as follows:

1. **Recitals**. The above recitals are true and correct and are incorporated herein.
2. The existing Article 1 – SCOPE OF WORK of the Contract is modified to include the following:
 - A. **LANDFILL GAS SYSTEM OPERATION AND MAINTENANCE**. The Contractor shall provide the additional annual landfill gas system O&M services in accordance with the attached proposal from SCS Field Services.
 - a. Landfill Gas O&M – Contractor to provide O&M services for Calendar Year 2023.
 - b. Landfill Gas Well Extensions - Contractor to provide two vertical well extensions and eight side slope collector extensions including replacement parts and materials.
3. The existing Article 3 – COMPENSATION of the Contract is modified to include the following:
 - vi) Annual Payment to Contractor for Landfill Gas System O&M shall be increased by \$21,988 for the period of January 1, 2023 through December 31, 2023 or \$3,141.14 per month, which includes a 15% management fee to Contractor. The overall payment for Calendar Year 2023 Non-Class 1 Landfill services shall be adjusted from the current \$3,407,675.18 per year to \$3,429,663.18 per year or \$285,805.27 per month.
 - vii) For the Landfill Gas Well Extensions – the Contractor will be paid on a time and materials basis for the work completed per the attached proposal to not exceed \$48,660.00
4. **Ratification**. Except as specifically provided in this Nineteenth Amendment, all other provisions of the Contract shall remain in full force and effect.

{The rest of this page is left intentionally blank.}

IN WITNESS WHEREOF, the parties have caused this Nineteenth Amendment to be executed by their respective duly authorized officers as of the day and year first written above.

Attest:

Jeffrey R. Smith, Clerk of Court and
Comptroller
By:

(Owner)

**Solid Waste Disposal District
Indian River County, Florida**

Deputy Clerk

Joseph H. Earman, Chairman

Date Approved by SWDD: _____

Approved By:

Approved as to Form and Legal Sufficiency By:

Michael C. Zito, Interim County Administrator

Dylan Reingold, County Attorney

**Signed, sealed, and delivered in the presence
of:**

**Republic Services of Florida, Limited Partnership
("Contractor")
By: Republic Services of Florida GP, Inc.,
its General Partner**

Print Name: _____

Print Name: _____

Print Title: _____

Print Title: _____

Print Name: _____

[remainder of page intentionally left blank]