



May 24, 2024

Mr. Himanshu Mehta
Indian River County Solid Waste Disposal District
1325 74th Ave.
Vero Beach, FL 32968

**RE: Yard Waste Processing and Recycling Services Agreement, dated November 19, 2019,
between Atlas Organics CU03, LLC and Indian River County Solid Waste Disposal
District**

Dear Mr. Mehta:

Reference is made to the Yard Waste Processing and Recycling Services Agreement, dated November 19, 2019 (the “**Agreement**”), between Atlas Organics Indian CU03, LLC (“**Atlas**”) and Indian River County Solid Waste Disposal District (the “**County**”). Capitalized terms used in this letter but not defined have the meanings set forth in the Agreement.

I. Proposed Amendment

Atlas is proposing to mutually agree with the County to amend the pricing terms of the Agreement as follows:

- (1) The existing pricing structure in Section 3.01 of the Agreement would be replaced by a simplified pricing structure under which the County would pay Atlas a flat fee of \$31.50/ton for the Processing and Transportation and Recycling of Yard Waste. This single, flat fee would replace the existing three-tiered structure under which (i) the County pays Atlas \$12.65/ton for Processing of Yard Waste Received at the Yard Waste Facility, (ii) the County pays Atlas \$13.71 for the Transportation and Recycling of Yard Waste and (iii) Atlas rebates \$13.71/ton of Overs collected from the Compost Facility.
- (2) The flat fee would be subject to annual adjustment as set forth in Section 4.03 of the existing Agreement.

Atlas believes this proposed pricing structure would simplify the administration of the Agreement and benefit both Atlas and the County on a going forward basis.

II. Annual Price Adjustment Request

Although Atlas has proposed amending the Agreement to simplify the pricing structure, Atlas desires to reserve its rights under Section 4.03 of the Agreement to obtain an annual rate adjustment under the current pricing structure.

Accordingly, pursuant to Section 4.03 of the Agreement, Atlas hereby requests the following annual rate adjustments, in each case effective as of October 1, 2024:

- (1) For Processing of Yard Waste received at the Yard Waste Facility, an increase from \$12.65/ton to \$13.03/ton;
- (2) For Transportation and Recycling of Yard Waste, an increase from \$13.71/ton to \$14.05/ton; and
- (3) For the amount rebated to the County for each ton of Overs taken for alternative daily cover, an increase from \$13.71/ton to \$14.05/ton.


Atlas calculated the above price adjustments as follows:

- The Consumer Price Index (CPI) for the South Urban Region, All-Items – All Urban Wage Earners and Clerical Workers, published by the U.S. Department of Labor, Department of Labor Statistics (Series ID = CRUR0300SA0), increased from 295.315 in April 2023 to 305.104 in April 2024, a 3.315% year-over-year increase. Note: April 2024 is the most recent month for which the U.S. Bureau of Labor Statistics has published CPI data as of today.
- Pursuant to Exhibit A of the Agreement, Atlas multiplied 3.315% by 75%, to yield an adjustment percentage of 2.486%, and applied this percentage to the existing rates.

Please let me know if you have any questions concerning the methodology for Atlas' calculation of the requested rate adjustment. Atlas looks forward to our continued partnership with the County.

ATLAS ORGANICS CU03, LLC

DocuSigned by:

By: 
Name: David Bahrenburg
Title: VP, Operations