

AMENDMENT NUMBER TWO TO BOARD OF SUPERVISORS AGREEMENT NUMBER 21-219 / DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 210004, EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE COUNTY OF MENDOCINO AND REDWOOD WASTE SOLUTIONS, INC., FOR RESIDENTIAL AND COMMERCIAL GARBAGE, RECYCLABLE MATERIAL AND ORGANIC WASTE COLLECTION FOR COUNTY SOLID WASTE FRANCHISE AREA NUMBER TWO

This Amendment Number (No.) Two to Board of Supervisors (BOS) Agreement No. 21-219 / Department of Transportation (DOT) Agreement No. 210004 is entered into as of June 20, 2023 (the "Effective Date"), by and between the County of Mendocino, a political subdivision of the State of California, hereinafter referred to as "COUNTY" and Redwood Waste Solutions, Inc., hereinafter referred to as "CONTRACTOR".

WHEREAS, BOS Agreement No. 21-219 / DOT Agreement No. 210004 (Agreement) was entered into on December 7, 2021; and

WHEREAS, Amendment No. One to the Agreement (BOS Agreement No. 21-219-A1) was entered into on March 1, 2023; and

WHEREAS, COUNTY and CONTRACTOR desire to amend the Agreement language to clarify the due date of Franchise Fee payments; and

WHEREAS, upon execution of this document by the Chair of the Mendocino County Board of Supervisors and CONTRACTOR, this document will become part of the aforementioned contract and shall be incorporated therein.

NOW, THEREFORE, we agree as follows:

1. Section 8.1.2 – Franchise Fee – Quarterly Payments and Revenue Statements is amended in its entirety to read as follows:

Contractor shall pay the Franchise Fee in quarterly payments due within thirty (30) days after the close of each calendar quarter. In the event the thirtieth day falls on a day that is not a Business Day, such payment shall be due on the next succeeding Business Day. Along with the quarterly payment, Contractor shall include a quarterly revenue statement, certified by an officer of the Contractor that shows the basis for the calculation thereof.

All other terms and conditions of BOS Agreement No. 21-219 / DOT Agreement No. 210004, as amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

DEPARTMENT FISCAL REVIEW:

Howard N. Dashiell 6/5/2023
DEPARTMENT HEAD DATE

Budgeted: ☐ Yes ☒ No

Budget Unit: 4510/4511

Line Item: Revenue 82-6390

Grant: ☐ Yes ☒ No

Grant No.: _____

CONSULTANT/COMPANY NAME:

By: Susan L. Van Delinder

NAME AND ADDRESS OF CONSULTANT:

Redwood Waste Solutions, Inc.

PO Box 630

Ukiah, CA 95482

COUNTY OF MENDOCINO

By: Glenn McGourty
GLENN MCGOURTY, Chair
BOARD OF SUPERVISORS

Date: 06/20/2023

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

ATTEST:

DARCIE ANTLE, Clerk of said Board

By: Arac
Deputy 06/20/2023

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

DARCIE ANTLE, Clerk of said Board

By: Arac
Deputy 06/20/2023

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

CHRISTIAN M. CURTIS,
County Counsel

By: Christian M. Curtis
Deputy

06/03/2023

Date: _____

INSURANCE REVIEW:

By: Darcie Antle
Risk Management

Date: **06/03/2023**

EXECUTIVE OFFICE/FISCAL REVIEW:

By: Jim Hahn
Deputy CEO or Designee

06/03/2023

Date: _____

Signatory Authority: \$0-25,000 Department; \$25,001- 50,000 Purchasing Agent; \$50,001+ Board of Supervisors
Exception to Bid Process Required/Completed ☐ _____
Mendocino County Business License: Valid ☐ _____
Exempt Pursuant to MCC Section: _____