

AMENDMENT NO. 1 TO AGREEMENT  
DATED FEBRUARY 24, 2015 BETWEEN  
CITY OF DAVIS AND  
DAVIS WASTE REMOVAL COMPANY, INC.

WHEREAS, the agreement dated February 24, 2015, by and between the City of Davis ("City") and Davis Waste Removal Company, Inc. ("Contractor") provides for updates to the agreement; and

WHEREAS, the City and Contractor desire to implement the containerized Green Waste plan as outlined in Exhibit "A" of the agreement; and

WHEREAS, the City and Contractor have reviewed to better define "vehicle weight limit" section 15.d and correct typographical errors in section 16.i. of the agreement.

NOW, THEREFORE, the parties hereto agree that the agreement referred to above shall be amended as set forth herein below.

**1. Section 6.e. is revised to read as follows:**

Section 6.e. Non-Containerized Pick-up of Green Waste

All other terms and covenants contained in said agreement shall remain unchanged and in full force and effect.

Section 6.e.i. revise "March 1, 2015 through the date" to "March 1, 2015 through or before August 1, 2016"

Section 6.e.ii. revise "Beginning the date" to "Beginning on or before July 1, 2016"

**2. Section 15.d. is revised to read as follows:**

Section 15.d. Liquidated Damages

Section 15.d. item 26 revised "\$250 per incident for each incident over 20 per calendar year" to "\$250 per incident for each incident exceeding over 5% of Gross Vehicle Weight Rating (GVWR) for the weight limits as set forth in the State of California Vehicle Code for that vehicle"

**3. Section 16.i. is revised to read as follows:**

Section 16.i. Compliance With Applicable Law

Revise typographical error from "Wolke" to "Wolk" and revise "Placer" to "Yolo"

IN WITNESS WHEREOF, the parties have caused this Amendment No. 1 to be signed on this 12<sup>th</sup> day of November, 2015.

CITY OF DAVIS

DAVIS WASTE REMOVAL CO., INC.

By: 

Dirk Brazil  
City Manager

By: 

Paul E. Hart  
President

Approve As To Form: 

Harriet Steiner  
City Attorney