

RESOLUTION NO. 99 - 54

A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY AUTHORIZING AN AMENDMENT TO THE AGREEMENT FOR MANAGEMENT OF CONSTRUCTION AND DEMOLITION DEBRIS AND YARD TRASH WITH NINE MILE ROAD, INC.; PROVIDING FOR THE ELIMINATION OF THE HOST FEE; MODIFYING THE TIPPING FEE SCHEDULE TO REFLECT THE ELIMINATION OF THE HOST FEE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Nine Mile Road, Inc., formerly known as Southland Environmental Systems, Inc., currently holds an Agreement with the County for Management of Construction and Demolition Debris and Yard Trash dated June 18, 1991, as amended by an amendment dated September 26, 1995; and

WHEREAS, County staff has recommended the Host Fee be eliminated, and the Tipping Fee Schedule modified accordingly as part of a County solid waste program revision.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA that:

Section 1. The County Administrator is authorized to sign an amendment to the original agreement with Nine Mile Road, Inc. in substantially the form attached hereto.

Section 2. This resolution shall take effect upon passage.

PASSED AND ADOPTED by the Board of County Commissioners of St. Johns County, State of Florida, this 6 day of April, 1999.

BOARD OF COUNTY COMMISSIONERS OF ST. JOHNS COUNTY, FLORIDA

By: Marc Jacobs
Its Chair

ATTEST: CHERYL STRICKLAND, CLERK

By: Christina De Grande
Deputy Clerk

**AMENDMENT TO THE AGREEMENT FOR MANAGEMENT
OF CONSTRUCTION AND DEMOLITION DEBRIS AND YARD TRASH**

This Amendment to the Agreement for Management of Construction and Demolition Debris and Yard Trash (hereinafter, the "Amendment") is made as of the _____ day of _____, 1999, by and between the Board of County Commissioners of St. Johns County, Florida (hereinafter the "County"), and Nine Mile Road, Inc., a corporation authorized to do business in the State of Florida and formerly known as Southland Environmental Systems, Inc. (hereinafter, "Nine Mile"), whose address is P. O. Box 37797, Jacksonville, Florida 32236.

WITNESSETH:

WHEREAS, the County and Nine Mile entered into an Agreement for Management of Construction and Demolition Debris and Yard Trash (the "Agreement") dated June 18, 1991; and

WHEREAS, the Agreement was amended on September 26, 1995, with respect to the Host Fee; and

WHEREAS, the Host Fee is being terminated as part of a County solid waste program revision.

NOW, THEREFORE, in consideration of the mutual covenants set forth in the Agreement and set forth herein, together with other good and valuable consideration, the County and Nine Mile hereby agree as follows:

1. Effective as of _____, 1999, Section 20 of the Operating Conditions portion of Exhibit A to the Agreement as amended by the September 26, 1995 Amendment, is amended hereby to read in its entirety as follows:

"20. HOST FEES:

The Host Fee for waste accepted at the Facility is terminated effective as of _____, 1999. St. Johns County will not collect any Host Fee on waste accepted at the Facility after said termination date."

2. Effective as of _____, 1999, Exhibit B of the Agreement as amended by the September 26, 1995 Amendment, is amended to read in its entirety as follows:

**"EXHIBIT "B"
MAXIMUM TIPPING FEE SCHEDULE**

<u>ITEM</u>	<u>PRICE</u>	<u>UNIT</u>
YARD TRASH	\$22.00	PER TON
CONSTRUCTION AND DEMOLITION DEBRIS	\$24.00	PER TON
OTHER	\$24.00	PER TON

Note: The above prices reflect the elimination of the County Host Fee.”

3. In the event of any conflict between the terms of the Agreement or the September 26, 1995 Amendment with this Amendment, the terms of this Amendment shall control.

4. Except as expressly modified herein, the terms of the Agreement and the September 26, 1995 Amendment shall continue in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused this Amendment to be executed on _____, 1999.

Signed, sealed and delivered
in the presence of:

NINE MILE ROAD, INC.

By: _____
James H. Arnold
Vice President

(CORPORATE SEAL)

ST. JOHNS COUNTY, acting by and through
its COUNTY ADMINISTRATOR

ATTEST: _____
Deputy Clerk

By: _____
Its County Administrator

(OFFICIAL SEAL)