

AMENDMENT NO. 1
FRANCHISE AGREEMENT FOR SOLID WASTE HANDLING SERVICES

BETWEEN
CITY OF OJAI
AND
E.J. HARRISON & SONS, INC.

This **Amendment No. 1** is made on this 25 day of April, 2023 to the Franchise Agreement for Solid Waste Handling Services between the **City of Ojai**, ("City") and **E.J. Harrison & Sons, Inc**, (Contractor) dated January 1, 2015 ("Agreement," adopted per Ordinance 848).

RECITALS

WHEREAS, the Agreement was originally entered into to provide the City with professional solid waste, recycling and greenwaste collection services to residents and businesses within the City; and

WHEREAS, the Agreement provides for an initial Term of 10 years, ending on December 31, 2024, with an option to extend the Term by up to five years, at City's sole discretion, and provided that the Contractor has met certain performance requirements; and

WHEREAS, on December 12, 2022, the Contractor submitted a written request for an extension of the term of up to five years; and

WHEREAS, at the April 25, 2023 meeting, the City Council accepted Contractor's proposal, and directed staff to incorporate the terms of the proposal into the Agreement; and

WHEREAS, the City Council approved this Amendment No. 1 on this 25th day of April, 2023.

AMENDED TERMS

Now therefore City and Consultant agree as follows that the Agreement be, and hereby is, amended as follows:

1. **Section 4.4 Term of the Agreement** is replaced in its entirety to read as follows:

The Term of this Agreement shall begin on the Services Initiation Date and shall end at midnight on December 31, 2029, unless this Agreement is terminated sooner pursuant to Article 19 or extended pursuant to Section 4.5.

In concurrence and witness whereof, this Amendment No. 1 has been executed by the parties effective on the date and year first above written.

City of Ojai

James Vega, City Manager

ATTEST:

Weston Montgomery, Interim Deputy City Clerk

Contractor: E.J. Harrison & Sons, Inc.

Jim Harrison, Vice President

Daniel Harrison, Contract Manager

APPROVED AS TO FORM

Matthew P. Summers
Matthew Summers, City Attorney