

FIRST AMENDMENT TO RECYCLING SERVICES AGREEMENT

THIS FIRST AMENDMENT TO RECYCLING SERVICES AGREEMENT ("Agreement") is made as of February 3, 2017, by and between WM RECYCLE AMERICA, L.L.C. ("COMPANY"), a Delaware limited liability company with a location at 1001 Fannin, Suite 4000, Houston, TX 77002 and City of Clearwater, Florida ("Customer") with a location at 112 S Osceola Avenue, Clearwater, FL 33756.

WITNESSETH

WHEREAS, the parties entered into that certain Recycling Services Agreement on December 5, 2013 (the "Agreement"); and

WHEREAS, the parties desire to modify the Agreement to amend the term, modify the processing fee, and adjust the calculation for sharing revenue; and

WHEREAS, the parties agree the modifications herein are acceptable.

NOW, THEREFORE, in consideration of these presents and for other good and valuable consideration, the receipt of which is acknowledged, the parties agree as follows:

1. SECTION 1 -TERM is deleted and replaced with the following:

The term of the Agreement shall begin on December 9, 2013 and end on December 15, 2017. The Agreement shall automatically renew thereafter for monthly or successive terms of thirty (30) days, unless either party gives written notice of termination to the other party by certified mail at least thirty (30) days prior to the expiration of the then-existing term. In addition, the Customer may terminate this Agreement for convenience on sixty (60) days' written notice.

2. SECTION 2 – QUANTITY AND QUALITY is amended by adding the following:

During such times as the Customer is testing the operational capabilities of Customer's proposed recyclables processing facility, may provide utilize not more than 5% of its Recyclables for testing purposes.

3. EXHIBIT B is deleted and replaced with the attached Exhibit B.

4. Unless modified by this First Amendment, all other terms and conditions of the Agreement remain in full force and effect.

BY SIGNING BELOW, EACH SIGNATOR WARRANTS THAT HE OR SHE IS AUTHORIZED TO ENTER INTO A BINDING AGREEMENT ON BEHALF OF THE PARTY SET FORTH.

Dated as of the date first above written.

WM RECYCLE AMERICA, L.L.C.

By: Mary Honzik Kliesmet

Print Name: Mary Honzik Kliesmet

Title: Assistant Secretary

CITY OF CLEARWATER, FLORIDA,
A municipal corporation and
political subdivision of the State of Florida

George N. Cretekos
Mayor

William B. Horne, II
City Manager

Approved as to form:

Attest:

Camilo A. Soto
Assistant City Attorney

Rosemarie Call
City Clerk