

**AMENDMENT NO. 7 TO AGREEMENT BETWEEN
THE CITY OF DUARTE AND BURRTEC WASTE SERVICES, LLC**

This Amendment No. 7 To the Agreement Between The City Of Duarte And Burrtec Waste Services LLC For Municipal Solid Waste, Recyclables, And Green Waste Collection, Transportation, Disposal, Composting, And Processing (“Amendment No. 7) is made and entered into as of December 23, 2015 (“Effective Date”), by and between the CITY OF DUARTE, a municipal corporation (“City”), and BURRTEC WASTE SERVICES, LLC, a California limited liability company (“Contractor”). City and Contractor are sometimes referred to herein individually as a “Party” and collective as the “Parties.”

RECITALS:

A. City and Contractor entered into that certain agreement titled “Agreement Between the City of Duarte and Burrtec Waste Service [*sic*], LLC for Municipal Solid Waste, Recyclables, and Green Waste Collection, Transportation, Disposal, Composting, and Processing dated on or about September 18, 1996, also referred to as “Agreement Between The City of Duarte And Burrtec Waste Services[*sic*], LLC For Solid Waste Collection, Processing and Disposal Services, September 18, 1996 (the “Original Agreement”), as amended by that certain Amendment No. 1 thereto dated on or about March 8, 2004 (“Amendment No. 1”), by that certain Amendment No. 2 thereto dated on or about November 13, 2007 (“Amendment No. 2”), by that certain Amendment No. 3 thereto dated on or about February 24, 2009 (“Amendment No. 3”), by that certain Amendment No. 4 thereto dated on or about June 22, 2010 (“Amendment No. 4”), and by that certain Amendment No. 5 thereto dated on or about December 10, 2013 (“Amendment No. 5”) and by that certain Amendment No. 6 dated on or about December 8, 2015 (“Amendment No. 6”). The Original Agreement as amended by Amendment No. 1, Amendment No. 2, Amendment No. 3, Amendment No. 4, Amendment No. 5 and Amendment No. 6 is hereinafter referred to collectively as the “Agreement.”

B. City and Contractor desire to enter into this Amendment No. 7 to (i) amend Section 3.01(c) as it relates to a one year extension to the Contract.

C. Except as otherwise set forth in this Amendment No. 7, the defined terms used herein shall have the same meanings as used in the Agreement.

AMENDMENT:

NOW, THEREFORE, in consideration of the foregoing Recitals and the covenants and promises hereinafter contained, and for good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties hereto agree as follows:

1. **RECITALS INCORPORATED.** The foregoing Recitals are true and correct and are incorporated herein and made a part hereof.
2. **ONE YEAR EXTENSION.** Pursuant to 3.01(c) of the Agreement, on September 22, 2015 the City Council of the City of Duarte authorized a one-year extension of the Term.

The Term is therefore currently scheduled to expire (subject to the granting of further extensions pursuant to Section 3.01 of the Agreement) on December 31, 2019.

4. **NO OTHER AMENDMENT.** Except as set forth in this Amendment No. 7, the Agreement shall remain in full force and effect according to its terms.
5. **COUNTERPARTS.** This Amendment No. 7 may be executed in counterparts, each of which, when this Amendment No. 7 has been signed by both of the Parties, shall constitute one and the same instrument.
6. **EFFECTIVE DATE.** The Effective Date of this Amendment No. 7 shall be the latest of the dates set next to the signatures of the Parties, which latest date shall be inserted into the Preamble to this Amendment No. 7.

[end—signature page follows]

IN WITNESS WHEREOF, the Parties have executed and entered into this Amendment No. 7 as of the Effective Date.

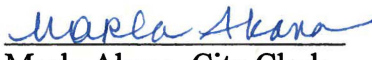
“CITY”

CITY OF DUARTE

Date: 12/8/15

By: 
Mayor Samuel Kang

ATTEST:


Marla Akana, City Clerk

APPROVED AS TO FORM:
Rutan & Tucker, LLP


Jeffrey Melching, City Attorney

“CONTRACTOR”

BURRTEC WASTE SERVICES, LLC

Date: 12/23/15

By: 

Printed Name: Tracy Sweeney

Its: COO/Vice President