

AMENDATORY AGREEMENT

This **AMENDATORY AGREEMENT** is made between the **CITY AND COUNTY OF DENVER**, a municipal corporation of the State of Colorado (the “City”) and **ALPINE DISPOSAL, INC.**, a Colorado corporation doing business at 7373 Washington Street, Denver, CO 80229 (the “Contractor”), jointly (“the Parties”).

RECITALS:

A. The Parties entered into an Agreement dated June 20, 2018 (the “Agreement”) to provide waste, single stream recycling and compost collection services at Red Rocks Amphitheatre, Denver Coliseum, Denver Performing Arts Complex and Sculpture Park.

B. The Parties wish to amend the Agreement to extend the term and modify the rates.

NOW THEREFORE, in consideration of the premises and the Parties’ mutual covenants and obligations, the Parties agree as follows:

1. Section 3 of the Agreement entitled “**TERM**” is hereby amended in part to provide that the expiration date shall be **May 31, 2023**.

2. **Exhibit B** is hereby deleted in their entirety and replaced with **Exhibit B-1 Rates**, attached and incorporated by reference herein. All references in the original Agreement to Exhibit B are changed to Exhibit B-1.

3. Except as specifically amended above, the Agreement shall remain in full force and effect and all of its respective terms and conditions are hereby ratified and confirmed.

4. This Amendatory Agreement will not be effective or binding on the City until it has been fully executed by all required signatories of the City and County of Denver, and if required by Charter, approved by the City Council.

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Contract Control Number: THTRS-202157666-01 / ALF-201840339-01
Contractor Name: ALPINE DISPOSAL, INC.

IN WITNESS WHEREOF, the parties have set their hands and affixed their seals at Denver, Colorado as of:

SEAL

CITY AND COUNTY OF DENVER:

ATTEST:

By:

APPROVED AS TO FORM:

REGISTERED AND COUNTERSIGNED:

Attorney for the City and County of Denver

By:

By:

By:

Contract Control Number:
Contractor Name:

THTRS-202157666-01 / ALF-201840339-01
ALPINE DISPOSAL, INC.

By: DocuSigned by:
Joseph Galindo
6AEAGF77B8FA418... _____

Name: Joseph Galindo
(please print)

Title: General Manager
(please print)

ATTEST: [if required]

By: _____

Name: _____
(please print)

Title: _____
(please print)

Exhibit B-1**RATES**

Please note that the rates are subject to an annual prevailing wage percentage increase match. This means if the prevailing wage levels change by 4% then we will increase rates by 4% upon yearly renewal. If no prevailing wages change then the service is subject to an annual increase equal to the following:

“On each twelve month anniversary date of the Agreement, the rates charged by Contractor shall be increased on the basis of 100% of the percentage increase in the Consumer Price Index – Water, Sewer, Trash category for the immediately preceding twelve month period, as reported by the U.S. Department of Labor, Bureau of Labor Statistics”

Aluminum Rebate

- Applicable to source separated material that is free of all plastic or other contamination
- Must be bale ready
- Contractor will pay Contractor sell price less \$250.00/ton processing fee to City
- Ex: January 2021, sell rate was \$1,250.00 per ton so minus \$250.00 per ton processing fee, the rebate would have been \$1,000.00 per ton

Pricing for Compactor/Roll Offs

| Red Rocks | | |
|-----------------|----------------------|----------------------|
| Stream | Tier 1 Cost Per Haul | Tier 2 Cost Per Haul |
| Trash | \$500.00 | \$550.00 |
| Recycle | \$430.00 | \$480.00 |
| Compost | \$350.00 | \$400.00 |
| Denver Coliseum | | |
| Stream | Tier 1 Cost Per Haul | Tier 2 Cost Per Haul |
| Trash | \$350.00 | \$400.00 |
| Recycle | \$250.00 | \$300.00 |
| Compost | \$250.00 | \$300.00 |
| DPAC | | |
| Stream | Tier 1 Cost Per Haul | Tier 2 Cost Per Haul |
| Trash | \$450.00 | \$500.00 |
| Recycle | \$300.00 | \$350.00 |
| Compost | \$300.00 | \$350.00 |

| Sculpture Park | | |
|----------------|----------------------|----------------------|
| Stream | Tier 1 Cost Per Haul | Tier 2 Cost Per Haul |
| Trash | \$450.00 | \$500.00 |
| Recycle | \$300.00 | \$350.00 |
| Compost | \$300.00 | \$350.00 |

- 4-ton maximum on each of the hauls (charged \$65.00 per ton for anything over that limit for all streams)

Pricing for Small Containers (on call)

- Trash = \$16.00 per yard
- Recycle = \$16.00 per yard
- Compost = \$18.00 per yard
- For 64 - 96 gallon carts the cost is a 2yd minimum and charged per container

*If service is "on call" a monthly rental fee may apply (\$10.00 per cart, and \$10.00 per yard for larger 3yd – 8yd containers)

Pricing for Small Containers (scheduled)

| Quantity | Stream | Size/Type | Frequency | Cost Per Month |
|----------|---------|--------------------|-------------|----------------|
| 1 | Trash | 3yd standard | 3x per week | \$230.00 |
| 1 | Trash | 3yd VIP compactor* | 3x per week | \$350.00 |
| 1 | Compost | 3yd VIP compactor* | 3x per week | \$615.00 |
| 14 | Compost | 64 gallon carts | 2x per week | \$1,200.00 |
| 1 | Recycle | 3yd standard | 3x per week | \$385.00 |

*City owned unit

Additional services, pricing, and frequency will be negotiated with venue facility managers on an as needed basis.

Recycling Market Rate Adjustment

Should the recycling commodity markets make a shift back to high and stable historical levels then pricing on the recycling service will decrease to the rates listed below. That shift in cost will occur when the market value of OCC exceeds \$130.00 per ton.

| | |
|-----------------|-------------------------|
| Red Rocks | |
| Stream | Haul Rate Adjusted Rate |
| Recycle | \$380.00 |
| Denver Coliseum | |
| Stream | Haul Rate Adjusted Rate |
| Recycle | \$195.00 |
| DPAC | |
| Stream | Haul Rate Adjusted Rate |
| Recycle | \$225.00 |
| Sculpture Park | |
| Stream | Haul Rate Adjusted Rate |
| Recycle | \$225.00 |

Sponsorship Fees

| Number of Hauls Total Across All Included Venues Per Month | Tier Level for Hauling Costs | Monthly Sponsorship Fee Paid to City |
|--|------------------------------|--------------------------------------|
| 35 or more | 1 | \$2,250 |
| 25-34 | | \$1,500 |
| 15-24 | | \$1,125 |
| (7-14) | | \$500 |
| (1-6) | 2 | \$250 |
| None | n/a | \$0 |

Included Venues:

Red Rocks

Denver Coliseum

Denver Performing Arts Complex

Sculpture Park