



**AMENDMENT NO 3**  
**TO**  
**AGREEMENT**  
**FOR**  
**NON-EXCLUSIVE COLLECTION, TRANSPORTATION AND RECYCLING OR DISPOSAL OF NON-PUTRESCIBLE SOLID WASTE AND/OR CONSTRUCTION AND DEMOLITION DEBRIS IN THE CITY OF MILPITAS**

This Amendment of the Agreement for Non-Exclusive Collection, Transportation and Recycling or Disposal of Non-Putrescible Solid Waste And/Or Construction and Demolition Debris in the City of Milpitas, dated June 9, 2005 ("Agreement"), is entered into this 4<sup>th</sup> day of December 2008, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "CITY") and Valley Recycling, (hereafter referred to as "COLLECTOR"). The CITY and COLLECTOR may be referred to collectively herein as the "Parties".

**RECITALS**

WHEREAS, the Parties entered into the Agreement for the non-exclusive collection, transportation and recycling or disposal of non-putrescible solid waste and/or construction and demolition debris from within the City of Milpitas; and

WHEREAS, the Parties desire to exercise the option to extend the term of the Agreement to the full term of the first of two allowable extensions.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the parties agree to amend the Agreement as follows:

1. Paragraph 16 ("Term of Agreement") of the Agreement is hereby amended with the addition of the following sentence at the end of that paragraph: "This Agreement is hereby extended an additional two and one-half (2 ½) years from December 4, 2008 to July 4, 2011, beyond the original Base Term stated herein."
2. All other provisions of the Agreement shall remain in full force and effect.

APPROVED BY:

CITY OF MILPITAS

CONSULTANT

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 Thomas C. Williams, City Manager

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 Maryann Harmon, Office Manager

Approved As  
 To Content:

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 Greg Armendariz, City Engineer

Approved As  
 To Form:

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 Bryan M. Otake, Assistant City Attorney

Prepared By:

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 Chris Schroeder, City Purchasing Agent