

**Action Requested/Required:**

- ☒ Vote/Action Requested
☐ Discussion or Presentation Only
☐ Public Hearing
Report Date: _____
Hearing Date: _____
Voting Date: _____

Department: City Management **Presenter(s) & Title:** Nathan Ingram, Assistant City Manager

Agenda Item Title:

Discussion of and Possible Approval of Waste Pro's Request to Amend the City's Agreement for Solid Waste Collection Services

Summary:

The City and Wastepro are coming to the end (Sep 30, 2025) of their initial three year term to provide waste services to Canton residents. After this initial three year term, the contract calls for an automatic extension of two (2) years, unless other agreements are met. Also, please recall that the agreement with Wastepro allows for a CPI increase each year's anniversary on October 1st. Wastepro opted to waive any rate increase during last year's anniversary on October 1, 2024, thus not changing service charges to Canton residents.

Attached is a proposed amendment to the Contract by Wastepro that will extend the agreement for three (3) years, and also being proposed is a cap on this year's CPI to 2.5%.

Budget Implications:

Budgeted? ☐ Yes ☐ No ☒ N/A

Total Cost of Project: _____ Check if Estimated ☐

Fund Source: General Fund ☐ Water & Sewer ☐ Sales Tax ☐ Other: _____

Staff Recommendations:

Staff Recommends Council consider: Move to approve the First Amendment to the Agreement for Solid Waste Collection Services with Waste Pro of Georgia, as presented.

Reviews:

Has this been reviewed by Management and Legal Counsel, if required? ☒ Yes ☐ No

Attachments:

Proposed Resolution for Amendment

**FIRST AMENDMENT TO
AGREEMENT FOR SOLID WASTE COLLECTION SERVICES**

This First Amendment to the Contract for Solid Waste Collection Services entered into as of October 1, 2022, between the City of Canton, Georgia ("City") and Waste Pro of Georgia Inc. ("Contractor").

Recitals

WHEREAS, the removal of garbage, rubbish and other waste material generated within the City is a valid exercise of City's police power, and

Whereas the City of Canton (the "City") and Waste Pro (the "Contractor") entered into a contract for residential waste and recycling Collection dated October 1, 2022 (the "Contract"); and

Whereas the City of Canton (the "City") and Waste Pro (the "Contractor") are desirous of extending that contract and

Whereas the Contractor and City (the "Parties") desire to amend the Contract to change certain terms described below.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which the Parties acknowledge, the Parties agree as follows:

1. **Section 10 "Term"** The initial term is hereby extended until September 30, 2028 (three years). At the end of this extended "Initial Term", the agreement shall automatically renew for one year "Renewal Periods" thereafter unless the City or the Contractor provides other party with notice at least (90) days prior to the end of that term. Term or renewal terms can be negotiated if agreed upon by both parties.
2. **Section 5.2 "Rate Adjustments"** The annual CPI adjustment will be capped at 2.5% for the October 2025 adjustment and resume as provided in the current contract thereafter.
3. **Execution in Counterparts.** This Amendment may be executed in any number of counterparts, each of which shall be deemed an original.

IN WITNESS WHEREOF, the Parties have executed this Amendment effective as of the date first set forth above.

CITY OF CANTON, GA

WASTE PRO OF GA, INC

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____