

6.1 Republic Services Solid Waste Services Rates.

Recommendation:

(a) Conduct a Public Hearing to confirm that the proposed Maximum Commercial Solid Waste Services Rates for 2024-2025 are consistent with the terms of the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement between the City of San José and Allied Waste Services of North America, LLC, dba Republic Services.

(b) Adopt a resolution to increase the Maximum Commercial Solid Waste Services Rates in the City of San José for 2024-2025 by 2.32 percent pursuant to the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement between the City of San José and Allied Waste Services of North America, LLC, dba Republic Services, including the total costs for organics processing services.

CEQA: Statutorily Exempt, File No. PP17-005, CEQA Guidelines Section 15273, adjustments to fees, rates and fares without changes to or expansion of services.
(Environmental Services)



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Kerrie Romanow

**SUBJECT: REPUBLIC SERVICES
SOLID WASTE SERVICES
RATES**

DATE: April 30, 2024

Approved

Date

4/30/24

RECOMMENDATION

- (a) Conduct a Public Hearing to confirm that the proposed Maximum Commercial Solid Waste Services Rates for 2024-2025 are consistent with the terms of the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement between the City of San José and Allied Waste Services of North America, LLC, dba Republic Services.
- (b) Adopt a resolution to increase the Maximum Commercial Solid Waste Services Rates in the City of San José for 2024-2025 by 2.32 percent pursuant to the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement between the City of San José and Allied Waste Services of North America, LLC, dba Republic Services, including the total costs for organics processing services.

SUMMARY AND OUTCOME

Approval of the recommendation will increase the maximum commercial solid waste service rates for Fiscal Year 2024-2025 by 2.32 percent.

BACKGROUND

Allied Waste Services of North America, LLC dba Republic Services (Republic Services) has an exclusive franchise agreement with the City of San José to provide solid waste collection and

processing services to the commercial sector (the Franchises Agreement).¹ The Franchises Agreement was amended and restated and has a term end date of June 30, 2032. The City also has an agreement with Zero Waste Energy Development Company (ZWED) to provide organics processing services for the organics collected under this system.

Republic Services' Commercial Solid Waste collection program, which serves approximately 8,000 business accounts Citywide, was designed and is required to ensure collected waste is processed and recycled to its highest and best use. Waste is separated into three categories: 1) wet or organic material, such as food waste or plant trimmings, 2) dry material, such as mixed non-organic garbage and recyclables, and 3) customized source separated recycling material, such as cardboard, paper, or glass. Customers choose the bin type(s) which works best for their business and are provided consistent rates across the City, access to a service representative who provides ongoing technical assistance, and online access to billing and service data. The system also provides the City and businesses the opportunity to comply with statewide recycling and organics diversion requirements.

Under San José Municipal Code Section 9.10.1695 and the Franchises Agreement, Republic Services may apply for an adjustment to the Maximum Commercial Solid Waste Services Rates once a year. Under the San José Municipal Code, any request to adjust the existing maximum service rate must be in accordance with the application process, methodology, and other factors specified in the Franchises Agreement. The City Council may also conduct a public hearing to confirm that the proposed maximum service rates are consistent with the terms of the Franchises Agreement. The franchisee must provide all customers with advance written notice of changes to the maximum customer service rates at least 30 calendar days prior to the effective date of the change.

Customer service rates vary based on the material type collected, container type and size, and frequency of collection. The rates are set and adjusted each year to satisfy Republic Services' annual revenue requirement under the Franchises Agreement, which is the dollar amount needed to fund the cost of operations, including collection equipment and labor, recyclables processing equipment and labor, compensation to ZWED for organics processing service, and payment of Government Fees (Franchise Fees and Source Reduction and Recycling Fees) to the City. Per the Franchises Agreement, the revenue requirement also allows Republic Services to calculate its profit for the coming rate year by dividing the anticipated total annual cost of operations for the coming rate year by a set ratio and subtracting the same total annual cost of operations from the result. City staff reviews the commercial solid waste service rates application for accuracy and verifies the numbers against the monthly reports submitted by Republic Services.

Section 10.4 of the Franchises Agreement allows for two rate adjustment methods: index-based or cost-based. Section 10.4.2 of the Franchises Agreement allows the City to request a cost-based rate adjustment at any of the following times: (1) in any year where the index-based adjustment

¹ Republic Services has a franchise to conduct commercial solid waste services in both geographic collection districts in the City, North and South, effectively giving them a Citywide franchise.

results in an increase greater than six percent net of Organics Processing Fee, Government Fee, changes in law, or City-directed scope of work changes; (2) upon request during rate year 16; or (3) at any time when the City desires to use its one-time option. The City opted to use this one-time option for rate year 13, 2024-2025.

The cost-based methodology involves an in-depth review of Republic Services actual cost of operations and operational statistics (staff levels, routes, route hours, etc.) to determine the actual allowable total annual cost of operations for the most-recently completed rate period which forecasts the allowable cost for rate year 13. The intent of performing the cost-based methodology is to examine the actual costs to serve the City's commercial rate payers, instead of continuing to annually adjust the maximum service rates using Republic Services proposed costs from the proposal process as prescribed in the index-based adjustment methodology. The cost-based methodology takes into consideration the impacts of changes in inflation, deflation, number of customers, and service levels of each customer to determine Republic Services allowable compensation and profit.

The adjustment methodologies are designed to protect both the customers and the franchisee by limiting the annual increase allowed and ensuring Republic Services is compensated appropriately as operating expenses fluctuate from year to year. Both the Franchises Agreement and ZWED agreement include annual adjustments.

ANALYSIS

Republic Services submitted a rate adjustment application and proposed a 5.30 percent increase to the 2024-2025 commercial service rates to satisfy its proposed revenue requirement of \$86,663,228. Staff performed a review of the documentation provided by Republic Services for the cost-based rate adjustment and found that several compensation adjustments were necessary. Specific cost components were adjusted in accordance with Section 2.1.1 of Exhibit A to the Franchises Agreement, including profit, organics residue disposal costs, and direct disposal costs. Staff determined that a total revenue requirement of \$84,870,121 is appropriate and consistent with the cost-based rate adjustment methodology described in the Franchises Agreement. These adjustments result in a 2.32 percent overall rate increase to provide the services currently required under the Franchises Agreement. If the City had followed the index-based rate adjustment, it would have resulted in a higher rate increase of approximately 3.58 percent. The results are an approximate annual savings of \$1,045,000 to the rate payers.

As required by Section 2.1.1 of Exhibit A to the Franchises Agreement, actual expenses incurred for rate year 11 (labor related, vehicle related, fuel, etc.) were used as the starting point for calculating the rate year 13 allowable compensation. However, staff found that not all non-allowable/prohibited costs were correctly excluded by Republic Services. Staff, therefore, adjusted rate year 11 costs to remove non-allowable costs for charitable contributions and damages and recalculated expenses to properly exclude the amount.

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Pursuant to Section 1.1 of Exhibit A to the Franchises Agreement, Newby Island Resource Recovery Park Processing Costs were calculated by staff as 52,000 tons multiplied by the base rate as adjusted by the United States Bureau of Labor Statistics Consumer Price Index for Urban Wage Earners and Clerical Workers. The ZWED organics residue disposal costs were calculated by determining the lower of a) the actual residue for the City's ZWED tons processed or b) the residue cap of 41.43 percent of the City's ZWED tons processed. Republic Services incorrectly applied the residue cap, and incorrectly added the portion of residue paid by the City instead of subtracting it from the ZWED organics residue processing costs. The Newby Island Resource Recovery Park Processing Costs were, therefore, adjusted and are now proposed at \$10,719,325, an increase of \$84,919 from the previous year. Staff reviewed the Direct Disposal Costs, which are the actual costs to dispose of any material that is not directed to the organics processing contractor or recyclable material processing facility.

Staff also reviewed the calculation of annual direct disposal costs per ton rate and confirmed it agreed with the per ton rate from the applicable time period. Because a discrepancy was found in how the direct disposal tons were determined, staff recalculated the annual direct disposal costs to account for the removal of non-franchised direct disposal tons. Therefore, the adjusted Direct Disposal Costs are \$1,268,526, an increase of \$217,519 from the previous year.

Staff reviewed the method of calculating projected gross receipts and determined that revenue for non-schedule services or minimum lift fees were not included. Republic Services confirmed that revenue from non-franchised areas booked to the larger business unit were properly excluded and no franchised revenue was improperly excluded. Therefore, staff made adjustments to add revenue for non-scheduled services and minimum lift fees.

Staff reviewed the operating statistics and noted that Republic Services is operating above the efficiency level in the original cost forms. Therefore, staff made adjustments to reflect the impact of non-allowable costs, correcting the General and Administrative and container maintenance allocations, removing requested additional costs, and the inflationary impact on these adjustments. For rate year 13, Republic Services' total annual adjusted cost of operations is \$34,649,026, an increase of \$479,072 from the previous year.

The proposed maximum rates, effective July 1, 2024, are detailed in the resolution accompanying this memorandum. In addition to collection services, the 2.32 percent rate increase impacts all associated commercial rates, including bin cleaning, bin locks, pushing and pulling containers into a serviceable position by the truck drivers, and delivery of containers. In accordance with ZWED's contract and the Franchises Agreement, the resolution also includes a cost of living adjustment of 3.9 percent to the rates paid to ZWED by Republic Services for organics processing as allowed in ZWED's agreement with the City. The ZWED portion of the revenue requirement is \$19,235,612, an increase of \$722,030 from the previous year which covers the cost of anaerobically digesting the organic material.

Government Fees equaling \$18,997,632 include a Franchise Fee of \$14,597,632 to the General Fund and a Source Reduction and Recycling Fee of \$4,400,000 to the Integrated Waste

Management Fund. The Franchise Fee is charged to Republic Services for use of City property in providing solid waste services in both San José’s North and South Service Districts; it funds services in the General Fund and may be adjusted each year based on the Consumer Price Index. The Source Reduction and Recycling Fee funds several City functions related to the implementation of the City’s Integrated Waste Management Plan, including oversight, administration, and enforcement of the City’s commercial solid waste system; a portion of ZWED residue disposal; and targeted commercial sector waste diversion programs, including technical assistance for recycling and outreach. The Source Reduction and Recycling Fee may be adjusted each year based on the operating needs of the City and will increase \$500,000 from the previous year, to \$4,400,000 for 2024-2025, as shown in the 2024-2025 Proposed Fees and Charges Report. Overall, the Government Fees portion of the rate increase will be adjusted by \$1,077,624.

The rate application adjustment summary **table**² below summarizes the above rate application adjustments made to calculate the revenue requirement, resulting in the 2.32 percent overall rate increase.

Rate Application Adjustment Summary

	Republic Services Proposed Rate Year 13 (2024-2025) Application	Rate Application Adjustments	Final Rate Year 13 (2024-2025) Revenue Requirement
Annual Cost of Operations	\$28,951,329	-\$564,288	\$28,387,041
Profit allotment to Republic Services	\$4,993,247	-\$97,323	\$4,895,924
Pass-Through Costs	\$1,801,048	\$0	\$1,801,048
Total Cost of Operations	\$35,745,624	-\$661,611	\$35,084,013
Rate Year 12 (2023-2024) Organics Residue Compensation	\$121,465	-\$121,465	\$0
Labor Adjustment for Vacant Positions	\$0	-\$434,987	-\$434,987
Newby Island Resource Recovery Park Processing Costs	\$11,741,121	-\$1,021,797	\$10,719,325
Direct Disposal	\$1,319,765	-\$51,238	\$1,268,526
Organics Processing Fee	\$19,233,415	\$2,197	\$19,235,612
City Fees	\$18,501,838	\$495,794	\$18,997,632
Total Franchisee Revenue Requirement	\$86,663,228	-\$1,793,106	\$84,870,121
Projected Service Rate Revenue at Current Rates	\$82,302,627	\$641,944	\$82,944,570
Maximum Service Rate Adjustment	5.30%		2.32%

² Numbers may not sum exactly due to rounding.

Following the recommended rate increase, the City's commercial solid waste rates will remain lower than average compared to rates charged elsewhere in the San Francisco Bay Area. The **Attachment** – Rate Comparison of Nearby Cities - compares San José's proposed maximum rates for two common service levels with the 2023-2024 rates from nearby jurisdictions. Most neighboring cities will be proposing an increase for their commercial rates (available in May 2024).

EVALUATION AND FOLLOW-UP

The Commercial Solid Waste Franchise Fee and Source Reduction and Recycling Fee are included in the 2024-2025 Proposed Operating Budget which is scheduled to be released on May 1, 2024 and the 2024-2025 Proposed Fees and Charges Report which is scheduled to be released on May 3, 2024.

COST SUMMARY/IMPLICATIONS

It is estimated the Commercial Solid Waste rate increase will generate approximately \$18,997,632 in revenue for the City, which includes approximately \$4,400,000 from Source Reduction and Recycling Fees in the Integrated Waste Management Fund and \$14,597,632 from the Franchise Fees in the General Fund. The additional revenue has been assumed in the 2024-2025 Proposed Operating Budget in the Integrated Waste Management Fund and the General Fund. Proposed increased revenue will fund increased costs related to management and administration of the Franchises Agreement and associated service agreements for the Commercial Solid Waste program that have increased due to external factors.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office and City Manager's Budget Office.

PUBLIC OUTREACH

Republic Services is required to notify all customers in writing of the rate change at least 30 days before the effective date.

This memorandum will be posted on the City's Council Agenda website for the May 14, 2024 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Statutorily Exempt pursuant to CEQA Guidelines Section 15273, File No. PP17-005 Statutory Exemption for Adjustments to Fees, Rates and Fares without expansion of services.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

/s/
KERRIE ROMANOW
Director, Environmental Services

The principal author of this memorandum is Valerie Osmond, Deputy Director, Environmental Services Department. For questions, please contact Valerie.Osmond@sanjoseca.gov or (408) 535-8557.

ATTACHMENT: Rate Comparison of Nearby Cities

ATTACHMENT

Rate Comparison of Nearby Cities

Two common commercial container sizes and prices from several nearby cities in Santa Clara County are shown in the table below. Services included with these rates vary from city to city. Not all cities' rate increases were available as of the date of this memorandum.

Rates are from July 1, 2024 to June 30, 2025, unless otherwise stated.

City	3 Cubic Yard Container Collected Once Per Week (monthly rate)	City	40 Cubic Yard Container (per collection)
San José Current	\$266.53	Santa Clara	\$1,004.00
San José Proposed (Effective July 1, 2024)	\$272.71	Morgan Hill	\$1,063.97
Fremont*	\$283.62	San José Current	\$1,080.29
Milpitas**	\$313.56	Los Altos‡	\$1,103.73
Mountain View	\$385.45	Fremont*	\$1,103.89
Campbell	\$395.23	San José Proposed (Effective July 1, 2024)	\$1,105.35
Gilroy	\$411.31	Cupertino†	\$1,152.74
Santa Clara	\$431.89	Gilroy	\$1,156.22
Palo Alto	\$437.20	Campbell	\$1,206.20
Morgan Hill	\$462.15	Palo Alto	\$1,227.59
Sunnyvale	\$481.70	Saratoga	\$1,254.94
Los Gatos	\$488.91	Monte Sereno	\$1,336.89
Saratoga	\$566.53	Los Gatos	\$1,349.22
Los Altos‡	\$570.21	Milpitas**	\$1,449.96
Monte Sereno	\$579.01	Sunnyvale	\$1,467.07
Cupertino†	\$591.37	Mountain View	\$1,523.85

* From January 1, 2024 to December 31, 2025

** From January 1, 2024 to December 31, 2024

† From February 1, 2024 to January 31, 2025

‡ Includes appropriate level of recycling and organics for no additional charge

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE FIXING AND DETERMINING MAXIMUM COMMERCIAL SOLID WASTE SERVICES RATES IN THE CITY OF SAN JOSE PURSUANT TO THE COMMERCIAL SOLID WASTE AND RECYCLABLE MATERIALS COLLECTION FRANCHISES AGREEMENT BETWEEN THE CITY OF SAN JOSE AND ALLIED WASTE SERVICES OF NORTH AMERICA, LLC DBA REPUBLIC SERVICES INCLUDING THE TOTAL COSTS FOR ORGANICS PROCESSING SERVICES, EFFECTIVE JULY 1, 2024

WHEREAS, on June 21, 2011, the City of San José (the “City”) granted exclusive franchises to Allied Waste Services of North America, LLC dba Allied Waste Services of Santa Clara County, currently doing business as Republic Services (“Republic Services”) to provide commercial solid waste and recyclable materials collection from commercial, industrial and institutional waste generators; and

WHEREAS, the Commercial Solid Waste and Recyclable Materials Collection Franchises Agreement (the “Agreement”) fully executed on September 16, 2011 provides that the City shall fix and determine the maximum rates for commercial solid waste services provided through these exclusive franchises; and

WHEREAS, the Agreement sets forth the basis for the adjustment of rates including but not limited to the cost of operation, profit, recyclables and organics processing costs, and government fees; and

WHEREAS, in December 2012, the City Council approved an amendment to the Agreement to provide for the delivery of additional organic waste from businesses to Zero Waste Energy Development Company (“ZWED”); and

WHEREAS, in May 2013, the City Council approved a second amendment to the Agreement that provided a one-time “true-up” adjustment to the revenue requirements in 2013-2014; and

WHEREAS, in May 2015, the City Council approved a third amendment to the Agreement that clarified the rate setting terms and streamlined the rate setting process; and

WHEREAS, the agreement between the City and ZWED for organics processing services sets forth the formula for determining the total processing fee, and requires that the fee be reviewed by the City Council; and

WHEREAS, on May 3, 2016, the City Council adopted Resolution No. 77738 to fix and determine the maximum commercial solid waste services rates in the City effective July 1, 2016; and

WHEREAS, on May 23, 2017, the City Council adopted Resolution No. 78178 to maintain the maximum commercial solid waste services rates adopted in Resolution No. 77738 pending the resolution of a dispute with Republic Services over certain terms of the Agreement that would have had an impact on how the City Council would set the maximum commercial solid waste services rates; and

WHEREAS, in August 2017, the City Council approved a fourth amendment to the Agreement that addressed the applicability of the City’s Living Wage Policy to Recyclery Workers; and

WHEREAS, on August 22, 2017, the City Council adopted Resolution No. 78318 to revise the maximum commercial solid waste rates for the remainder of fiscal year 2017-

2018 to provide funding to implement the “Recyclery Workers’ Wage” in accordance with the Cooperative Agreement and Fourth Amendment to the Agreement; and

WHEREAS, on May 22, 2018, the City Council adopted Resolution No. 78602 setting the maximum commercial solid waste services rates in the City effective July 1, 2018; and

WHEREAS, on May 21, 2019, the City Council adopted Resolution No. 79099 setting the maximum commercial solid waste services rates in the City effective July 1, 2019; and

WHEREAS, on February 25, 2020, the City Council adopted Resolution No. 79415 authorizing the City Manager to negotiate and execute amended and restated agreements with Republic Services and ZWED to modify the commercial solid waste system and to extend the agreement by five (5) years; and

WHEREAS, the City Council also approved a settlement agreement among the City, Republic Services, International Disposal Corp. of California (Republic Services affiliate), ZWED, and Greenwaste Recovery, Inc. (ZWED affiliate) wherein all parties released any legal claims against each other. The effectiveness of this settlement agreement is contingent on the amended and restated agreements between all parties, which serve as consideration for the settlement; and

WHEREAS, the amended and restated agreements have been executed by ZWED and Republic Services and modifications to the commercial collection system made by the amended and restated agreements went into effect on May 3, 2020; and

WHEREAS, on May 19, 2020, the City Council adopted Resolution No. 79525 setting the maximum commercial solid waste services rates in the City effective July 1, 2020; and

WHEREAS, on May 18, 2021, the City Council adopted Resolution No. 80007 setting the maximum commercial solid waste services rates in the City effective July 1, 2021; and

WHEREAS, on May 17, 2022, the City Council adopted Resolution No. 80503 setting the maximum commercial solid waste services rates in the City effective July 1, 2022; and

WHEREAS, on May 16, 2023, the City Council adopted Resolution No. RES2023-155 setting the maximum commercial solid waste services rates in the City effective July 1, 2023; and

WHEREAS, the City Council wishes to set the maximum commercial solid waste services rates in the City effective July 1, 2024;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

SECTION 1. Effective July 1, 2024, the Maximum Commercial Solid Waste Service Rates that may be charged to customers receiving commercial solid waste and recyclable materials collection service from exclusive franchises shall be as set forth in Exhibit A, and including the organics processing cost as set forth in Exhibit B, both of which are attached to and incorporated in this Resolution.

SECTION 2. This Resolution shall supersede Resolution No. RES2023-155.

SECTION 3. The Maximum Commercial Solid Waste Service Rates set forth in this Resolution shall remain effective until they are amended, modified or repealed by a subsequent resolution of the City Council.

ADOPTED this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk

EXHIBIT A

**MAXIMUM SERVICE RATES FOR COMMERCIAL SERVICE FOR CUSTOMERS
EFFECTIVE JULY 1, 2024**

A. Maximum Service Rates Per Month for Standard Cart Services:

Dry and Recyclable Materials

Cart Size (gallons)	Collections Per Week					
	1	2	3	4	5	6
32	\$85.11	\$168.06	\$251.00	\$333.93	\$416.87	\$499.79
64	\$101.26	\$199.97	\$298.70	\$397.37	\$496.10	\$594.81
96	\$126.57	\$249.98	\$373.33	\$496.72	\$620.09	\$743.49

Wet Material

Cart Size (gallons)	Collections Per Week					
	1	2	3	4	5	6
32	\$106.37	\$210.03	\$313.74	\$417.41	\$521.10	\$624.77
64	\$126.57	\$249.98	\$373.33	\$496.72	\$620.09	\$743.49
96	\$158.22	\$312.44	\$466.68	\$620.91	\$775.15	\$929.36

B. Maximum Service Rates Per Month for Standard Bin Services:

Dry and Recyclable Materials

Bin Size (cubic yards)	Collections Per Week					
	1	2	3	4	5	6
1	\$195.26	\$378.11	\$559.15	\$742.50	\$925.79	\$1,106.87
1.5	\$213.81	\$414.06	\$612.29	\$813.02	\$1,013.75	\$1,212.02
2	\$232.37	\$449.95	\$665.40	\$883.55	\$1,101.70	\$1,317.18
3	\$272.71	\$526.31	\$779.92	\$1,039.01	\$1,289.88	\$1,546.20
4	\$313.05	\$604.17	\$895.26	\$1,186.36	\$1,477.52	\$1,768.64
6	\$391.77	\$756.12	\$1,120.48	\$1,488.74	\$1,853.09	\$2,221.36
8	\$474.36	\$915.45	\$1,356.66	\$1,793.06	\$2,234.19	\$2,675.32

EXHIBIT A

Wet Material

Bin Size (cubic yards)	Collections Per Week					
	1	2	3	4	5	6
1	\$244.08	\$472.67	\$698.97	\$928.11	\$1,157.28	\$1,383.57
1.5	\$267.27	\$517.57	\$765.36	\$1,016.27	\$1,267.19	\$1,515.03
2	\$290.47	\$562.46	\$831.77	\$1,104.45	\$1,377.09	\$1,646.47
3	\$340.86	\$657.89	\$974.95	\$1,298.78	\$1,612.36	\$1,932.78
4	\$391.29	\$755.17	\$1,119.08	\$1,482.99	\$1,846.91	\$2,210.81
6	\$489.70	\$945.16	\$1,400.63	\$1,860.92	\$2,316.35	\$2,776.70
8	\$592.93	\$1,444.35	\$1,695.82	\$2,241.32	\$2,792.72	\$3,344.16

C. Maximum Service Rates for Compactor Service:

Dry and Recyclable Materials: \$35.24 per collection per cubic yard

Wet Material: \$44.06 per collection per cubic yard

D. Maximum Service Rates for Additional Collections:

1. Maximum Service Rates Per Collection for Extra Cart or Bag Collection

Cart or Bag Size (gallons)	<i>Dry and Recyclable Materials</i>		<i>Wet Material</i>	
	Regular Collection Day	Non-Regular Collection Day	Regular Collection Day	Non-Regular Collection Day
32	\$29.46	\$129.94	\$36.84	\$162.41
64	\$35.04	\$135.51	\$43.79	\$169.42
96	\$43.79	\$144.31	\$54.76	\$180.36

EXHIBIT A

2. Maximum Service Rates Per Collection for Extra Bin Collection

Bin Size (cubic yards)	<i>Dry and Recyclable Materials</i>		<i>Wet Material</i>	
	Regular Collection Day	Non-Regular Collection Day	Regular Collection Day	Non-Regular Collection Day
1	\$58.58	\$159.07	\$73.24	\$198.83
1.5	\$64.12	\$164.64	\$80.17	\$205.80
2	\$69.71	\$170.19	\$87.16	\$212.75
3	\$81.82	\$182.34	\$102.27	\$227.90
4	\$93.91	\$194.41	\$117.39	\$243.00
6	\$117.56	\$218.03	\$146.94	\$272.53
8	\$142.33	\$242.80	\$177.89	\$303.51

3. Maximum Service Rates Per Collection Per Cubic Yard for Compactor Collection

	<i>Dry and Recyclable Materials</i>		<i>Wet Material</i>	
	Regular Collection Day	Non-Regular Collection Day	Regular Collection Day	Non-Regular Collection Day
Rate Per Collection Per Cubic Yard	\$45.81	\$66.08	\$57.27	\$82.59

EXHIBIT A

E. Maximum Service Rates for Extra Services:

<i>Type of Service</i>	<i>Rate Information</i>	<i>Maximum Rate</i>
Hasp & Lock for Cart/Bin (one time charge)	Per Collection	\$30.15
Replace Lock	Per Collection	\$70.33
Steam Cleaning	Per Collection	\$100.47
Push/Pull Charge (per increment of 50 ft)	Per Month, Per Increment of 50 ft, Per Bin	\$40.20
Lock/Unlock Charge	Per Month	\$40.20
Cart/Bin Delivery/Pick-Up	Extra rate if customer requests a change in cart/bin size more than once/year	\$70.33
Cart/Bin Exchange/Replacement (in the event of damage, service level change, or other)	Extra rate if customer requires cart/bin replacement (one replacement per year at no cost)	\$70.33
Return Rate	Extra rate if customer container is blocked or unserviceable & franchisee has to return to provide service	\$100.47
Service Interrupt Fee	Per Occurrence	\$60.28
Late Fee	After 60-days past due	1.50% of Past Due Amount
Insufficient Funds Fee	Per Occurrence	\$60.28

EXHIBIT A

F. Maximum Service Rates for Drop Box Services:

- 1. Regularly Scheduled Roll Off Collection Service** (Per Pull/Return, not including initial delivery rate, which is charged separately. Excludes compactors.)

Dry and Recyclable Materials

Receptacle	Rate Information	Tonnage Limit	Maximum Rate, North District	Maximum Rate, South District
10 cubic yard roll off	Per Pull/Return	2	\$663.21	\$763.70
20 cubic yard roll off	Per Pull/Return	3	\$793.85	\$894.32
30 cubic yard roll off	Per Pull/Return	4	\$924.47	\$1,024.94
40 cubic yard roll off	Per Pull/Return	5	\$1,055.11	\$1,155.59
Customer Owned Compactors	Per Yard/Pull/Return	0.20 per yard	\$39.58	\$41.73

Wet Material

Receptacle	Rate Information	Tonnage Limit	Maximum Rate, North District	Maximum Rate, South District
10 cubic yard roll off	Per Pull/Return	2	\$703.40	\$803.88
20 cubic yard roll off	Per Pull/Return	3	\$854.15	\$954.63
30 cubic yard roll off	Per Pull/Return	4	\$1,004.86	\$1,105.35
40 cubic yard roll off	Per Pull/Return	5	\$1,155.59	\$1,256.07
Customer Owned Compactors	Per Yard/Pull/Return	0.20 per yard	\$45.66	\$48.14

EXHIBIT A

Landscape Greenwaste (no glass)

Receptacle	Rate Information	Tonnage Limit	Maximum Rate, North District	Maximum Rate, South District
20 cubic yard roll off	Per Pull/Return	3	\$673.30	\$773.75
30 cubic yard roll off	Per Pull/Return	4	\$763.70	\$864.18
40 cubic yard roll off	Per Pull/Return	5	\$854.15	\$954.63

2. On-Call Roll-Off Collection Service (Per Pull/Return, not including initial delivery rate, which is charged separately. Excludes compactors.)

Dry and Recyclable Materials

Receptacle	Rate Information	Tonnage Limit	Maximum Rate, North District	Maximum Rate, South District
10 cubic yard roll off	Per Pull/Return	2	\$703.40	\$813.94
20 cubic yard roll off	Per Pull/Return	3	\$834.03	\$944.56
30 cubic yard roll off	Per Pull/Return	4	\$964.67	\$1,075.22
40 cubic yard roll off	Per Pull/Return	5	\$1,095.29	\$1,205.83
Customer Owned Compactors	Per Yard/Pull/Return	0.20 per yard	\$41.55	\$43.79

EXHIBIT A

Wet Material

Receptacle	Rate Information	Tonnage Limit	Maximum Rate, North District	Maximum Rate, South District
10 cubic yard roll off	Per Pull/Return	2	\$743.60	\$854.15
20 cubic yard roll off	Per Pull/Return	3	\$894.32	\$1,004.86
30 cubic yard roll off	Per Pull/Return	4	\$1,045.06	\$1,155.59
40 cubic yard roll off	Per Pull/Return	5	\$1,195.78	\$1,306.31
Customer Owned Compactors	Per Yard/Pull/Return	0.20 per yard	\$47.94	\$50.55

Landscape Greenwaste (no glass)

Receptacle	Rate Information	Tonnage Limit	Maximum Rate, North District	Maximum Rate, South District
20 cubic yard roll off	Per Pull/Return	3	\$713.46	\$823.98
30 cubic yard roll off	Per Pull/Return	4	\$803.88	\$914.43
40 cubic yard roll off	Per Pull/Return	5	\$894.32	\$1,004.86

EXHIBIT A

3. Other Miscellaneous Roll-Off Services

<i>Type of Service</i>	<i>Receptacle</i>	<i>Rate Information</i>	<i>Maximum Rate</i>
Demurrage Charge (e.g., rental charge)	All roll-off sizes	Per week*	\$331.61
Delivery Service	All roll-off sizes	Per Occurrence for delivery to collection site	\$130.64
Overage Charge—Dry and Recyclable Materials	All roll-off & compactor sizes	Per Ton for Each Ton In Excess of Limit	\$130.64
Overage Charge—Wet Material	All roll-off & compactor sizes	Per Ton for Each Ton In Excess of Limit	\$150.74
Overage Charge—Landscape Greenwaste (no glass)	All roll-off & compactor sizes	Per Ton for Each Ton In Excess of Limit	\$90.45
Hasp & Lock for Roll Off, one time charge	Not Applicable	Per Occurrence	\$30.15
Return Rate	Not Applicable	Extra rate if customer container is blocked or unserviceable & franchisee has to return to provide service	\$100.47
Relocation Charge	All roll-off box sizes	Per Relocation	\$150.74
Steam Cleaning or Compactor Repairs	All roll-off box sizes	Per Hour (parts billed separately)	\$301.46
Service Interrupt Fee	Not Applicable	Per Occurrence	\$60.28
Late Fee	Not Applicable	After 60-days past due	1.50%
Insufficient Funds Fee	Not Applicable	Per Occurrence	\$60.28
*Extra charge if a customer subscribing to temporary service keeps the box longer than seven (7) days without pickup or return.			

NVF:RBT:JLM
4/22/2024

EXHIBIT B

TOTAL ORGANICS PROCESSING FEE 2024-2025
\$19,235,612