

**Colombia Resource Company Solid Waste Transfer, Transportation and Disposal Contract  
Summary of Contract Amendments**

<b>Amendment One:</b>		<b>Executed December 9, 1992</b>
<b><u>Article/Section</u></b>	<b><u>Description</u></b>	
Article 1.	Amends the definition of " <b><u>Director</u></b> " from Public Services Director to Public Works Director.	
Section 2.14	Amends <b><u>Third Party Beneficiaries</u></b> by naming the State of Washington as third party beneficiary of HHW provisions of the contract.	
Section 7.1(b)	Amends <b><u>Stabilization Fee for Buyback Operations</u></b> . Amended language gives the Director discretion to impose a stabilization fee.	
Section 7.1(c)	Amends <b><u>Stabilization Fee Schedule</u></b> . Inserts language describing the stabilization fee schedule agreement process being triggered the Director.	
Section 7.3(c)	Amends <b><u>Setoff Against Future Revenue</u></b> . Defines a timeline for payment.	
Section 7.6	Amends the years for <b><u>Waste Stream Composition Updates</u></b> .	
Section 10.3(b)	Amends <b><u>Tipping Fees for State/Local Fees or Federal Taxes Fees of Surcharges</u></b> . Allows the contractor to be reimbursed for retroactively applied fees.	
Section 10.7	Amends <b><u>Additional Tipping Fee Schedules</u></b> . Amended language gives the Director discretion to approve additional tip fee schedules.	
Section 10.11	Amends <b><u>Administrative/Regulatory Fee</u></b> . Amends the due date for payments.	
Section 19.3(a)	Amends <b><u>Contractor Compensation for Additional Work</u></b> . Amends the term "DS" describing how debt service for additional work will be amortized.	
Section 24.3	Amends the language for <b><u>County's Remedies for Class B Defaults</u></b> adding item (f) describing the remedy for recycling truck service time limits.	
Section 24.6(c)	Amends <b><u>Solid Waste Claims; Waiver of Other Remedies</u></b> . Adds Section 24.6(c) to contract describing a waiver from payment of damages.	
Section 2.1 TS	Amends <b><u>Construction and Location of Transfer Stations</u></b> . Inserts a date for opening the second transfer station.	
Section 2.3.2 TS	Amends <b><u>Required Transfer Station Areas</u></b> to require a truck wash facility at West Van. only and provisions for recycling at all transfer stations	
Section 2.3.14 TS	Amends <b><u>Truck Wash Facility</u></b> to require only one truck wash facility.	
<b>Amendment Two:</b>		<b>Executed December 12, 1996</b>
<b><u>Article/Section</u></b>	<b><u>Description</u></b>	
Section 7.2(a)	Amends <b><u>Minimum Annual Recycling Requirement</u></b> reducing the requirement from 20% to 10%	
Section 7.2(b)	Amends <b><u>Adjustment of Recycling Requirement</u></b> . Recognizes recycling programs and market condition effects on the requirement.	
Section 7.3(b)	Amends <b><u>Distribution of Revenue from Sale of Recyclable Materials</u></b> .	
Section 7.5 (a-e)	Amends <b><u>Paper and Fiber Based Recyclables</u></b> to specify the inclusion of wood.	
Section 7.6	Amends the years of the <b><u>Waste Stream Composition Updates</u></b> .	
Section 8.10	Amends <b><u>Other Customers, Other Facilities</u></b> to allow for County review of contractor reports filed with DEQ for Finely Buttes.	
Section 9.1	Amends <b><u>Flow Control</u></b> language and includes language for Residential Recycling Materials.	
Section 10.2	Amends <b><u>Basic Tipping Fees and CPI Adjustment</u></b> .	
Section 10.3(b)	Amends <b><u>Increased Tipping Fees for State/Local Fees or Federal Taxes Fees or Surcharges</u></b> to include DEQ fees.	
Section 10.5(c)	Amends <b><u>Reduced Tipping Fees for "Most Favored Customer"</u></b> .	
Section 14.4(a)	Amends <b><u>Establishment and Funding of Self Insurance Fund</u></b> to increase the contractor deposit requirement from \$1.64 p/t to \$2.14 p/t.	
Section 30.3	Amends <b><u>County's Cost to Cancel Transfer Services</u></b> .	
Section 2.5 TS	Amends <b><u>Hours of Operation</u></b> .	

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**Amendment Three: Executed September 29, 1998**

<u>Article/Section</u>	<u>Description</u>
Article 1	Amends the definition of " <u>Acceptable Waste</u> " by eliminating the reference to in-county waste.
Article 1	Adds definitions for " <u>Commercial Drop Box</u> " and " <u>Commercial Vehicle</u> "
Section 10.2	Amends <u>Basic Tipping Fees; CPI Adjustment</u> creating rate structures for non-drop box waste and commercial drop box waste. Language is also included for contractor not electing to exercise CPI increase.
Section 10.11	Amends <u>Administrative/Regulatory Fee</u> . Sets the fee at \$100k per month and \$3.50 p/ton fee for tonnage processed in excess of schedule.
Section 14.4(a)	Amends <u>Establishment and Funding of Self-Insurance Fund</u> . Eliminates language describing the contractors per ton contribution, and distributes 30% to County.
Section 14.4(b)	Amends <u>Insurance Adjuster to Handle Pollution Claims; Distributions</u> . Language amended to direct balance in fund to contractor.
Section 14.5	Eliminates the section titled <u>CPI Adjustment</u> . Adds the section <u>Use of Fund</u> , and inserts language describing how the fund can be used by the contractor to settle claims.
Section 1.2 TS	Amends <u>Contractor's General Obligation</u> . Inserts language setting a 20% threshold based on a schedule for Director approval of out of county waste processed at facilities. Replaces the need for Director approval of any out of county waste.
Section 6.5(m) TS	Adds new subsection inserting the requirement for reporting volumes of out of county waste.

**Amendment Four Executed March 30, 1999**

<u>Article/Section</u>	<u>Description</u>
Article 2.8	Amends <u>Contractor's Records; Access; Inspection</u> . Directs the contractor to maintain separate accounting systems from other affiliates.
Article 8.1	Amends <u>General</u> . Describes for resolving the price disparity between barge, rail or truck hauling of cans.
Article 8.12	Adds a new section <u>Corporate Structure and Accounting Systems</u> . Inserted language directs the contractor to operate affiliated entities as separate companies with different controllers. Allows operation under a single general manager.
Article 8.13	Adds a new section <u>Destination of Waste</u> . Inserts language directing waste collected in Clark County to facilities.
Article 8.14	Moves Section 8.12 <u>Other Obligations</u> to section 8.14.
Article 10.2	Amends <u>Tipping Fees</u> . Sets tip fees effective July 1, 1999. Also reduces the amount of the prior years foregone CPI increase the contractor can recover from 100% to 50%.
Article 10.5(c)	Amends <u>Reduced Tipping Fees for "Most Favored Customer"</u> . Inserts language with parties agreeing to \$20 per ton for disposal component of tip fee. Amends the schedule describing the tonnage threshold for the additional \$3.50 p/ton fee. Inserts language for a \$10.00 p/ton fee on any tonnage 25k tons or greater above the schedule.
Article 10.11	Amends <u>Administrative/Regulatory Fee</u> . Deletes due date provision for fee.
Article 16.1	<u>General</u> is modified at the end to describe the intent of building a smaller limited purpose Transfer Station.
Article 19.1	Amends <u>Additional Work</u> . Inserts language allowing \$750k for cost associated with a third Transfer Station

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Section 1.2 TS	Amends <b><u>Contractors General Obligations</u></b> . Amends the tonnage schedule related describing the threshold for determining 20% out of county waste.
Article 2.1.3 TS	Renames the section <b><u>Study Regarding Additional Transfer Station</u></b> to <b><u>Proposal for Additional Transfer Station</u></b> . Inserts language for a proposal on the third Transfer Station on or before 7/1/00.
Article 2.1.4 TS	Renames the section <b><u>Construction of Third Transfer Station</u></b> to <b><u>Construction of an Additional Transfer Station</u></b> . Deletes language describing contractor compensation.

**Amendment Five:** Executed May 26, 2000

<b><u>Article/Section</u></b>	<b><u>Description</u></b>
Article 23	Amends <b><u>Performance Bond</u></b> requirements to include language setting liquidated damages if the surety, or contractor fails to provide the required notice of cancellation, termination or non-renewal.