

**FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BY
INDEPENDENT CONTRACTOR (BURRTEC)**

THIS FIRST AMENDMENT TO AGREEMENT OF SERVICES BY INDEPENDENT CONTRACTOR ("Amendment") is made and effective as of the 1st day of May 2022, by and between the CITY OF BEAUMONT ("City"), a general law city, and Burrtec Waste Industries, Inc., a California Corporation ("Contractor") in consideration of the mutual promises and purpose contained herein, the parties agree as follow:

RECITALS

This Amendment is made with respect to the following facts and purpose that the parties agree are true and correct:

- A. On May 1, 2019, the City and Contractor entered into that certain agreement entitled "Agreement for Professional Services by Independent Contractor" ("Agreement") for non-hazardous sludge hauling services.
- B. In June 2020, the parties entered into a letter agreement, whereby Contractor agreed to suspend the automatic three percent (3%) escalator in costs under the agreement until January 31, 2021.
- C. Contractor has provided a Letter of Extension dated December 2, 2021, a copy of which is attached hereto as Exhibit "A" and incorporate herein by this reference, to extend the term of the Agreement and to include Services to be Performed and Compensation to remain the same.

AMENDMENT

The Agreement is hereby amended as follows:

Section 1. Term of Agreement. In accordance with Section 1 of the Agreement, the parties agree to extend the term of the Agreement by one (1) year. Notwithstanding anything in this Agreement to the contrary, this Agreement shall automatically terminate April 30, 2023, unless earlier terminated by the parties in accordance with the Agreement, or extended by the parties with the approval of the City Council of the City.

Section 2. Incorporation of Recitals; All Other Terms to Remain the Same. The recitals to this Amendment are deemed incorporated herein by this reference. All other terms of the Agreement not expressly amended by this Amendment shall remain in full force and effect. In the event of a conflict between the Agreement and this Amendment, this Amendment shall control.

[Signatures on following page]

SIGNATURE PAGE TO FIRST AMENDMENT TO AGREEMENT FOR PROFESSIONAL SERVICES BY INDEPENDENT CONTRACTOR (BURRTEC)

CITY:

CITY OF BEAUMONT

By: 
Lloyd White, Mayor

CONTRACTOR:


BURRTEC WASTE INDUSTRIES, INC., a California corporation

By: 

Print Name: Tracy A. Sweeney

Title: 5/5/22

ATTEST:

By: 
Nicole Wheelwright, Deputy City Clerk

APPROVED AS TO FORM:

By: 
John O. Pinkney, City Attorney