

DRAFT

**AMENDMENT TO SERVICES AGREEMENT
BETWEEN THE CITY OF SUNNYVALE
AND BROWNING-FERRIS INDUSTRIES OF CALIFORNIA, INC. DBA BFI
NEWBY ISLAND RECYCLERY
FOR FOOD SCRAP COMPOSTING**

THIS AGREEMENT dated _____ is by and between the CITY OF SUNNYVALE, a municipal corporation ("CITY"), and BROWNING-FERRIS INDUSTRIES OF CALIFORNIA, INC. dba BFI NEWBY ISLAND RECYCLERY ("CONTRACTOR").

WHEREAS, on September 8, 2014 CITY and CONTRACTOR entered into Services Agreement ("Agreement") whereby CONTRACTOR would provide food scrap composting services; and

WHEREAS, the parties now agree that an Amendment to said Agreement is advisable;

NOW, THEREFORE, THE PARTIES ENTER INTO THIS AMENDMENT TO THE AGREEMENT:

2. Time for Performance
Replace this section with the following:

The term of this Agreement shall be from contract execution through December 31, 2015 unless otherwise terminated. Extensions of time may be granted by the City Manager upon showing of good cause.

4. Compensation
Replace the second sentence of this section with the following:

Total compensation payable under this Agreement shall not exceed One Hundred Fifty-Nine Thousand and no/100 (\$159,000.00).

All other terms and conditions remain unchanged.

IN WITNESS WHEREOF, the parties have executed this Agreement.

ATTEST:

CITY OF SUNNYVALE ("CITY")

By _____
City Clerk

By _____
City Manager

APPROVED AS TO FORM:

BROWNING-FERRIS
INDUSTRIES OF CALIFORNIA,
INC. dba BFI NEWBY ISLAND
RECYCLERY ("CONTRACTOR")

By _____
City Attorney

By _____

Name and Title

By _____

Name and Title