

## **WASTE TIRE RECYCLING SERVICE AGREEMENT**

The following Agreement is made this 11th day of October, 1999 by and between Nassau County, 440 S. Kings Road, Callahan, FL 32011 and Florida Tire Recycling, Inc. (hereinafter referred to as Company), for the collection and recycling of waste tires from the Nassau County Department of Solid Waste. Whereas the parties have agreed as follows:

1. Company will provide 45' long, enclosed over-the-road trailer in good physical condition With a floor having no holes or missing flooring to be place by the Department of Solid Waste for the propose of collecting waste tires accumulated by the Department.
  - a. Nassau County agrees to provide a suitable parking area for the trailer. Said area shall be graded and shall allow ready access by the Company vehicle servicing the site.
  - b. Nassau County agrees to accept custody of the trailer and to reimburse Company for any damage to the trailer that may occur as a result of actions or negligence on the part of County personnel or customers.
2. Any type of waste tires may be loaded into the trailer including tires with rims. The parties also agree:
  - a. The waste tires will not exceed 1200 X 20 in size.
  - b. The waste tires shall be free of dirt, grease or hazardous wastes.
  - c. No cut, sectioned or baled tires shall be loaded into the trailer.
3. Any scrap metal salvaged from removing rims from waste tires that are loaded into the trailer shall become the property of Company.
4. The trailer shall be loaded by County employees and/or customers and not by Company personnel.
5. Nassau County shall notify company when a trailer is full at which time Company shall dispatch an over-the-road tractor to drop an empty trailer and collect the full one within 48 hours of call. Title to the waste tires shall pass to Company when Company's vehicle exits County property.
6. Company shall not be liable for any personal injury or loss suffered by County personnel or customers that may occur to said personnel or customers while loading waste tires into the trailer unless trailer is deemed unsafe.

7. The cost to Nassau County for the services described are as follows:
  - a. The cost to transport and recycle the waste tires deposited into the trailer shall be \$97.50 per ton, minimum 10 ton per trailer.
  - b. Nassau County shall weigh Company's vehicle as it enters and exits the County's solid waste site and shall provide Company with a receipt showing the net weight collected which shall be used for rendering an invoice to the County.
  - c. The minimum weight per load of waste tires shall be ten tons. If the net weight of a load is less than ten tons, the County shall be invoiced based on the minimum of ten tons. If the net weight of a load exceeds ten tons, the county shall be invoiced based on the actual weight.
  - d. The cost per ton includes the cost to remove the rim from any tires mounted on rims.
8. Company shall maintain permits from the Florida Department of Environmental Protection for the collection and processing of waste tires. Copies of current collection and processing permits are attached as Exhibit 1.
9. Company shall maintain workers compensation insurance, automobile fleet insurance and commercial liability insurance in limits of not less than \$1 million (as applicable.) Upon execution of this agreement Company shall cause of certificate of insurance to be issued to Nassau County evidencing such coverage.
10. The term of this Agreement shall be for one year beginning from the date first noticed above and shall continue from year to year unless cancelled by either party by written notice at least thirty days prior to the renewal date.
11. Notice shall be deemed to be properly given if delivered by hand, by registered mail or by commercial courier service to the addresses shown above.
12. This Agreement shall be interpreted under laws of the State of Florida.
13. This Agreement may not be assigned or transferred by either party and may only be amended by mutual written agreement executed by both parties.

Company: FLORIDA TIRE RECYCLING, INC.

Name: [Signature]  
 Title: Chief Operating Officer

**Nassau County Board  
 Of County Commissioners**

[Signature]  
 J.H. "Pete" Cooper, Chairman

**ATTEST:**

[Signature]  
 J.M. "Chip" Oxley, Jr.  
 Ex-Officio Clerk

**Approved As to Form:**

[Signature]  
 Michael S. Mulhin  
 Nassau County Attorney