

Contract Number CM1052-A1

**FIFTH RENEWAL OF THE**  
**WASTE TIRE RECYCLING SERVICE AGREEMENT**

THIS ADDENDUM entered into this 13th day of July, 2009 by and between the **BOARD OF COUNTY COMMISSIONERS OF NASSAU COUNTY, FLORIDA**, a political subdivision of the State of Florida, (hereinafter referred to as "County") and **FLORIDA TIRE RECYCLING, INC**, 9675 Range Line Road, Port St. Lucie, Florida 34987, (hereinafter referred to as "Company").

**WHEREAS**, the parties entered into an Agreement dated October 1, 2004 for the collection, transportation and recycling of waste tires from the Nassau County Department of Solid Waste Management, whose address is 46026 Landfill Road, Callahan, Florida, 32011; and

**WHEREAS**, the original agreement provided for an initial term of one (1) year beginning October 1, 2004 and ending September 30, 2005, with an option to renew subject to mutual agreement by both parties; and

**WHEREAS**, the parties entered subsequent renewals of said agreement for periods commencing on October 1, 2005 through September 30, 2007; and

**WHEREAS**, the parties further exercised its option and entered into additional renewals to extend from October 1,

2007 through September 30, 2009, at the same rate in the amount of \$97.50 per ton for said services, with a fuel surcharge of ten percent (10%) until diesel fuel prices drop below \$2.50 per gallon; and

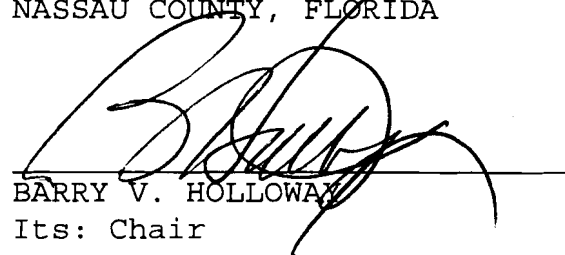
**WHEREAS**, the parties desire to amend and extend said Agreement.

**NOW, THEREFORE, FOR AND IN CONSIDERATION** of the mutual covenants and agreements herein contained, the parties hereto agree as follows:

1. In accordance with Section 11 of the Agreement for Waste Tire Recycling Service dated October 1, 2004, the performance period is hereby extended for an additional one (1) year beginning October 1, 2009 and ending September 30, 2010. As amended in the Third Renewal of the Waste Tire Recycling Service Agreement dated July 11, 2007, either party may terminate this agreement by giving thirty (30) days written notice.
2. The cost to transport and recycle the waste tires deposited into the trailer shall be \$97.50 per ton, minimum 10 tons per trailer, with a fuel surcharge of ten percent (10%) until diesel fuel prices drop below \$2.50 per gallon.

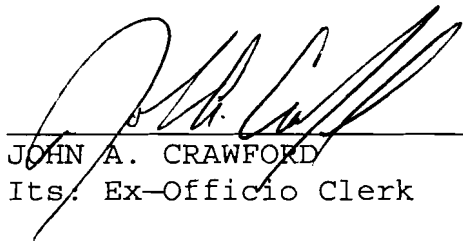
3. All other provisions of said Agreement not in conflict with this Addendum shall remain in full force and effect.
4. Time is of the essence.

BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY, FLORIDA



\_\_\_\_\_  
BARRY V. HOLLOWAY  
Its: Chair

ATTESTATION: ONLY TO AUTHENTICITY AS TO  
CHAIRMAN'S SIGNATURE:



\_\_\_\_\_  
JOHN A. CRAWFORD  
Its: Ex-Officio Clerk      *EGK 7/13/09*

Approved as to form and legality by the  
Nassau County Attorney:



\_\_\_\_\_  
DAVID A. HALLMAN

[Vendor Signature on Next Page]

FLORIDA TIRE RECYCLING, INC.

*John J. Wilson*  
By: John J. Wilson  
Its: CEO

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

Before me personally appeared,  
JOHN J. WILSON, who is personally known  or  
produced \_\_\_\_\_ as identification, known  
to be the person described in and who executed the foregoing  
instrument, and acknowledged to and before me that he/she  
executed said instrument for the purposes therein expressed.

WITNESS my hand and official seal, this 30<sup>th</sup> day of  
July, 2009.

*Cindy M. Rine*  
Notary Signature



Notary-Public-State of FLORIDA at large  
My Commission expires: 3/27/2012