

June 5, 2023

Mr. Louie Pellegrini
Vice President
Alameda County Industries, Inc.
601 Aladdin Avenue
San Leandro, CA 94577

RE: FIFTEENTH AMENDMENT TO FRANCHISE AGREEMENT

Dear Mr. Pellegrini:

This letter is the Fifteenth Amendment (the "Amendment") to the Franchise Agreement for Solid Waste, Recyclables, and Green Waste Services between the City of San Leandro (the "City") and Alameda County Industries, Inc. ("ACI"), dated February 1, 2000, as previously amended (the "Agreement"). The Agreement is currently scheduled to expire on January 31, 2025. The City intends to enter into a two-step procurement process in which sole source negotiations are initiated with ACI, followed by a competitive procurement process if the sole source negotiations are not successful. For good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the City and ACI (the "Parties"), hereby agree as follows:

1. Notwithstanding anything to the contrary contained in the Agreement, the Parties shall enter into good faith negotiations to extend, amend, restate or replace the Agreement with a restated or new franchise agreement having a minimum term of ten (10) years, with the mutual intent of presenting the new franchise agreement to the City Council for approval no later than May 15, 2024. If the City Manager at any time, determines, in good faith, that more time is required to continue such negotiations or that no such new franchise agreement can be reached, the City Manager shall have the sole option to extend the expiration date of the Agreement to Midnight on January 31, 2027, in which case the Agreement shall continue in full force and effect until such date, unless the Parties enter into a restated or new agreement sooner, or it is otherwise terminated in accordance with the Agreement. The City may exercise its option by giving ACI written notice to exercise the option to extend no later than August 31, 2024.
2. Except as amended hereby, the Agreement (including all previously approved amendments) shall remain in full force and effect.

Please indicate Alameda County Industries, Inc.'s acceptance of this Amendment by signing and returning to me a copy of the Amendment.

Very truly yours,

Frances Robustelli
City Manager

Accepted by Alameda County Industries, Inc.

Louie Pellegrini, Vice President