

ORDINANCE NUMBER 3131

BE IT THEREFORE ORDAINED on this 10th day of October, 2022, by the City Council of the City of Vestavia Hills, Alabama, in a regularly scheduled meeting with a quorum present as follows:

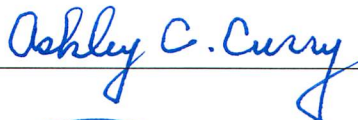
Section 1. That the Cahaba Solid Waste Authority has notified the City of Vestavia Hills, Alabama that a fuel surcharge increase shall now be applied to all customers in order to maintain desired service levels.

Section 2. That Council of the City of Vestavia Hills finds that it is wise, expedient, and necessary to amend its contract for solid waste collection, disposal and treatment with the Cahaba Solid Waste Authority (“the Authority”) to offset costs now necessary for maintaining the desired service levels and hereby authorizes and acknowledges a fuel surcharge as provided in Exhibit 1 be included in the pricing for services of single family residential service and elective back door services for non-disabled customers) beginning August 1, 2022.

Section 3. That the Mayor and City Manager are authorized to execute such documentation necessary to facilitate this amendment and authorize payment thereof.

Section 4. This Ordinance shall take effect immediately upon posting/publication hereof as provided by law.

APPROVED BY:



Mayor

ATTESTED BY:



City Clerk
Print Name:

CERTIFICATION

I, Rebecca Leavings, the City Clerk and Custodian of Records for the City of Vestavia Hills, Alabama hereby certify that the foregoing Ordinance is true and accurate authorization and record of the City of Vestavia Hills, Alabama.

This ____ day of _____, _____

City Clerk

[SEAL]

**FIRST AMENDMENT TO
SOLID WASTE COLLECTION AND DISPOSAL CONTRACT**

The **CITY OF VESTAVIA HILLS, ALABAMA**, (hereinafter referred to as “City”), a municipal corporation does hereby enter into an amended solid waste collection and disposal contract by, between and with the **CAHABA SOLID WASTE DISPOSAL AUTHORITY** (hereinafter referred to as the "Authority" or “CSWDA”) a public corporation under and pursuant to the provisions of Chapter 89A of Title 11 of the Code of Alabama (1975) (hereinafter referred to as the "Enabling Act"). The Parties agree as follows:

1. Tiered Pricing Amended. The pricing for services shall remain tiered and based upon the number of units serviced and services selected within the City and within the Authority’s jurisdiction subject to increases pursuant to the CPI-U Annual Rate Adjustment. The residential garbage and recycling pricing (including elective backdoor service, where applicable) shall include the addition of an itemized fuel surcharge beginning August 1, 2022.

2. Fuel Surcharge Explained. The fuel surcharge shall be according to the monthly adjusted fuel index for ultra-low sulfur diesel, where any percentage change above the baseline fuel cost of \$3.05 (fuel index rate of ultra-low sulfur diesel as of July 15, 2021) shall be multiplied by a fuel factor (0.263) and added to the baseline bid for the applicable entity on the monthly billing of all entities serviced by the Authority. For example, the baseline fuel cost of \$3.05 for ultra-low sulfur diesel increases to \$4.682, leaving an increase of \$1.63. The increase is divided by the baseline fuel cost and multiplied by 100 to determine the percentage increase. The percentage increase is multiplied by the fuel factor and the original per customer bid rate to equal the fuel surcharge amount. The fuel surcharge is added to the baseline bid for single family residential service and elective back door services for non-disabled customers, totaling the newly adjusted rate. The term baseline bid is used to refer to tiered pricing per customer rate as adjusted by inflation (CPI-U Annual Rate Adjustment).

3. Determining Percentage Increase for Fuel Surcharge. The percentage change in fuel index shall be adjusted monthly by the fuel index for ultra-low sulfur diesel (Alabama – Gulf Coast (PADD3) as of the last day of each preceding month according to the Energy Information Administration of the U.S. Department of Energy (EIA/DOE), as published on its website:(<https://www.eia.gov/petroleum/gasdiesel/>).

4. Limited Application of Fuel Surcharge. The fuel surcharge shall automatically become applicable and assessed only when the baseline of \$3.05 for ultra-low sulfur diesel is exceeded.

5. Controlling Agreement. All other provisions of the original authorization to administer solid waste collection on ___ day of _____, 20___, by Ordinance No. _____ shall remain in effect. To the extent any provisions contained herein are in conflict with this Agreement or any other Agreements between Authority and City, oral or otherwise, the provisions contained herein shall supersede such conflicting provisions contained in the Agreement or other Agreements.

6. **No Further Modifications.** Except as set forth herein, all previous provisions remain unmodified and in full force and effect.

Done this ____ day of _____, _____,

IN WITNESS WHEREOF, the parties hereto, having obtained the full consent of their governing bodies, have caused this Agreement with the Cahaba Solid Waste Disposal Authority to administer solid waste disposal and collection on behalf of the City of _____ as provided herein, cause to be executed by their duly authorized officers on the day and year written above, as follows:

CITY OF VESTAVIA HILLS, ALABAMA,
a Municipal Corporation

Mayor

City Manager

Attest:

City Clerk

**CAHABA SOLID WASTE DISPOSAL
AUTHORITY,** a Public Corporation

Allan Rice, its Chairman

Attest:

Elenie Counts, Secretary

ACKNOWLEDGEMENT OF SERVICES BY PROVIDER

Acknowledged by Service Provider: AMWASTE LLC, by _____
(print)

Its _____ (title). This _____ day of _____, 20__.

(Signature)

	A	B	C	D	E	F	G
1	Table 1						
2	Project	CSWDA	Billing Period:	Aug-22			
3	Letting Date:	7/15/2021					
4	Base Fuel Index (\$/gal):	3.05					
5	Fuel Index for current month (\$/gal)	4.682					
6							
7	(1) Current Month Index - Base index:	1.63					
8							
9							
10							
11	Item No.	Description	Base Bid Rate	(3) Fuel Factor	(4) Percentage Change in Fuel Index	(3) x (4) Fuel Adjustment (+/-)	Adjusted Rate
12	1	Single Family Residential Service	\$ 22.11	0.263	54%	\$ 3.11	\$ 25.22
13	4	Elective Backdoor Service (non-disabled customer)	\$ 9.38	0.263	54%	\$ 1.32	\$ 10.70

	A	B	C	D	E	F	G
1	Table 2						
2	Project	Clanton	Billing Period:	Jul-22			
3	Letting Date:	7/15/2021					
4	Base Fuel Index (\$/gal):	3.05					
5	Fuel Index for current month (\$/gal)	4.682					
6							
7	(1) Current Month Index - Base index:	1.63					
8							
9							
10							
11	Item No.	Description	Base Bid Rate	(3) Fuel Factor	(4) Percentage Change in Fuel Index	(3) x (4) Fuel Adjustment (+/-)	Adjusted Rate
12	1	Single Family Residential Service	\$ 18.89	0.263	54%	\$ 2.66	\$ 21.55

	A	B	C	D	E	F	G
1	Table 3						
2	Project	Fultondale	Billing Period:	Jul-22			
3	Letting Date:	7/15/2021					
4	Base Fuel Index (\$/gal):	3.05					
5	Fuel Index for current month (\$/gal)	4.682					
6							
7	(1) Current Month Index - Base index:	1.63					
8							
9							
10							
11	Item No.	Description	Base Bid Rate	(3) Fuel Factor	(4) Percentage Change in Fuel Index	(3) x (4) Fuel Adjustment (+/-)	Adjusted Rate
12	1	Single Family Residential Service	\$ 13.26	0.263	54%	\$ 1.87	\$ 15.13