FIRST AMENDMENT TO THE
LEAD-ACID BATTERY COLLECTION AND RECYCLING SERVICE AGREEMENT
BETWEEN
CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY
AND
PARTICIPATING LOCAL JURISDICTIONS

WHEREAS the Central Virginia Waste Management Authority (hereinafter "CVWMA") and Battery Barn of Virginia, Incorporated (hereinafter "Contractor") executed a Lead-Acid Battery Collection and Recycling Services Contract (hereinafter "Contract") effective October 1, 2015 and ending September 30, 2020; and

WHEREAS, Section 3. Term of Contract of the Contract provides for an additional five (5) year renewal option; and

WHEREAS, the CVWMA and the Contractor have amended certain terms of the Contracts herein, to include a five-year extension, extending the Contract to September 30, 2025 as provided under the existing Contract; and

WHEREAS, the CVWMA Board of Directors approved the extension of the Contract and Service Agreement in Resolution 21-01 on August 21, 2020; and

NOW, THEREFORE, in consideration of the foregoing recitals and the mutual covenants hereinafter provided:

BE IT RESOLVED that this First Amendment to the Service Agreement is made by and between CVWMA, its successors and assigns, having its principal place of business at 2100 West Laburnum Avenue, Suite 105, Richmond, Virginia 23227, and (if executed on the appropriate signature page at the end of this amendment).

MEMBER JURISDICTION	PARTICIPATING IN THIS AGREEMENT
Town of Ashland (ASH)	
County of Charles City (CCC)	
County of Chesterfield (CHE)	
City of Colonial Heights (COL)	
County of Goochland (GOO)	
County of Hanover (HAN)	
County of Henrico (HEN)	
City of Hopewell (HOP)	
County of New Kent (NKT)	
City of Petersburg (PET)	
County of Powhatan (POW)	
County of Prince George (PG)	
City of Richmond (RIC)	

(hereinafter, collectively, "Participating Local Jurisdictions").

BE IT FURTHER RESOLVED, that the CVWMA and the Participating Local Jurisdictions amend the Service Agreement as follows:

1. **SECTION 2. DEFINITIONS**, add the following:

J. *Rechargeable Battery* - is a type of electrical battery which can be charged, discharged into a load, and recharged many times, as opposed to a disposable or primary battery, which is supplied fully charged and discarded after use. Examples of rechargeables include: lead–acid, nickel zinc (Ni-Zn), nickel–cadmium (NiCd), nickel–metalhydride (NiMH), lithium-ion (Li-ion), Lithium Iron Phosphate (LiFePO4), and lithium-ion polymer (Li-ion polymer) batteries. The definition does not include alkaline or button batteries or electric car batteries.

2. **SECTION 3. TERM OF AGREEMENT,** delete and replace with the following:

The term of this Service Agreement will be for a five (5) year term starting on or about October 1, 2020 and ending September 30, 2025. No additional extension will be granted for this Service Agreement.

3. **SECTION 4. SPECIAL PROJECT DESCRIPTION, PAYMENT SCHEDULE**

A., delete and replace with the following:

The CVWMA will utilize the Contractor for the collection of sealed and unsealed lead-acid batteries weighing two and one half pounds or more and for the collection of Rechargeable Batteries from collection sites designated by the Participating Jurisdictions. The CVWMA will work with Participating Local Jurisdictions and the Contractor to coordinate collection sites, schedules and anticipated quantities.

D., add the following:

e. Rechargeable Batteries – no rebate or cost

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IN WITNESS WHEREOF, CVWMA and the Participating Local Jurisdictions have caused this Agreement to be executed.

APPROVED AS TO FORM:

McCandlish Holton, P.C.

CENTRAL VIRGINIA WASTE MANAGEMENT AUTHORITY

By: _____
Kimberly A. Hynes
Executive Director

Date: 9/14/20

APPROVED AS TO FORM:

_____
City Attorney or designee

Print Name: _____

CITY OF COLONIAL HEIGHTS

By: _____
City Manager or designee

Print Name: _____

Date: _____