

MODIFICATION #19 TO AGREEMENT #3491
PROFESSIONAL SERVICES AGREEMENT
TILLAMOOK COUNTY AND DON G. AVERILL RECYCLING, INC.
TRANSFER STATION OPERATION, TRANSPORT AND DISPOSAL FOR
PROCESSING OF SOLID WASTE

This Agreement Modification, hereafter "Modification #19", is entered into by and between DON G. AVERILL RECYCLING, INC., hereafter "Contractor" and Tillamook County, hereafter "County", pursuant to ORS 203.010. The parties entered into a Professional Services Agreement on December 3, 2003. The parties intend this Modification to modify their earlier Agreement only as to their expressions herein. The mutual promises of each are given in exchange and as consideration for, the promises of the other.

ANNUAL WASTE FEE ADJUSTMENT

Tillamook County hereby offers Change Order #18 19 to execute the annual Waste Fee Adjustment of ~~77/100 Dollars (\$0.77)~~ *Four and 95/100 Dollars (\$4.95)* per ton to the current contract per ton rate of ~~Sixty-Seven and 81/100 Dollars (\$67.81)~~ *Sixty-Eight and 58/100 Dollars (\$68.58)* being paid to Don G. Averill Recycling, Inc. The ~~Sixty-Eight and 58/100 Dollars (\$68.58)~~ *Seventy-Three and 53/100 Dollars (\$73.53)* per ton will be effective starting July 1, ~~2024~~ 2022 and will continue through June 30, ~~2024~~ 2023.

The specific language/detail of this "Waste Fee Adjustment" to the Contract can be found in the RFP, Section 6.5 (b).

The Contract start date for the Tillamook Transfer Station was January, 2004. The Waste Fee Adjustment is to be executed after the initial year of the contract for a start date of July 1, 2005. Each year thereafter the Waste Fee Adjustment is calculated to become effective on July 1st. The Waste Fee Adjustment amount uses the Consumer Price Index (CPI) – All Urban Consumers West Region to determine an annual adjustment to the price per ton rate. The January Report (published in February) is used to determine the annual adjustment. Don Averill Recycling, Inc. proposed an 80% adjustment of the Consumer Index.

The parties agree to use the Annual Average CPI-U for the West Region in further adjustments.

Beginning July 1, 2016, the supplemental cost increase of 58/100 Dollars (\$0.58) per ton as a result of the increase in the Oregon Department of Environmental Quality's Permit Compliance and Tipping Fees was approved by the Board of County Commissioners, sitting as the Board of the Solid Waste Service District. This is included in the calculation accordingly.

Beginning July 1, 2018, changes in PUC fees resulted in an additional 25/100 Dollars (\$0.25) per ton, included in the calculation accordingly.

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Each year Contractor shall obtain an annual performance bond in the amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00) and naming Tillamook County as the Oblige.

All provisions of the underlying Agreement not otherwise modified by this document remain in full force and effect and are incorporated herein by reference.

4. **CONTRACT DOCUMENTS:** The following documents comprise the contract and are incorporated here by reference in their entirety.
- 4.1. "Tillamook County Solid Waste Service District Request for Proposals Transfer Station Operation, Transport and Disposal for Processing of Solid Waste" dated August 18, 2003;
 - 4.2. Don G. Averill Recycling, Incorporated, 1500 N. Main Avenue, Tillamook, OR 97141" Proposal, dated October 2, 2003;
 - 4.3. "November 13, 2003 letter of certification by Klamath First Federal Bank of Tillamook, OR;"
 - 4.4. "Promissory Note with Klamath First Federal Savings and Loan Association for 200,000 line of credit;"
 - 4.5. "November 24, 2003 letter of Steven Simpson, CPA;"
 - 4.6. Bureau of Labor Statistics Consumer Price Index – January 2013;
 - 4.7. Letter from Albright Kittell PC dated March 16, 2016;
 - 4.8. Memo from David McCall, Solid Waste Program Manager dated May 15, 2018;
 - 4.9. Consumer Price Indices Pacific Cities and U.S. City Average January 2020 Dated February 13, 2020;
 - 4.10. Amended Statutory Public Contract Provisions;
 - 4.11. Bureau of Labor Statistics Consumer Price Index, West Region – January 2021; and
 - 4.12. Bureau of Labor Statistics Consumer Price Index, West Region – January 2022.

Acknowledgement: EACH PARTY REPRESENTS TO THE OTHER BY THEIR SIGNATURES BELOW THAT EACH HAS READ, UNDERSTANDS AND AGREES TO ALL COVENANTS, TERMS AND CONDITIONS OF THIS AGREEMENT. EACH PARTY REPRESENTS TO THE OTHER TO HAVE THE ACTUAL AND/OR APPARENT AUTHORITY TO BIND THEIR RESPECTIVE LEGAL PERSONS, CORPORATE OR OTHERWISE, IN CONTRACT.

Approved as to form and content this 9th day of March, 2022.


Contract Officer

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Dated this 14 day of March, 2022.

CONTRACTOR: DON G. AVERILL RECYCLING, INC.



Don G. Averill
1500 N. Main Avenue
Tillamook, Oregon 97141
503-842-5189

DATED THIS ____ day of March, 2022.

THE BOARD OF COMMISSIONERS
FOR TILLAMOOK COUNTY, OREGON

	Aye	Nay	Abstain/Absent
_____ David Yamamoto, Chair	___	___	___/___
_____ Erin D. Skaar, Vice-Chair	___	___	___/___
_____ Mary Faith Bell, Commissioner	___	___	___/___

ATTEST: Tassi O'Neil
County Clerk

APPROVED AS TO FORM:

By: _____
Special Deputy

Joel W. Stevens, County Counsel

NEWS RELEASE

BUREAU OF LABOR STATISTICS

U. S. D E P A R T M E N T O F L A B O R



For Release: Thursday, February 10, 2022

22-218-SAN

WESTERN INFORMATION OFFICE: San Francisco, Calif.

Technical information: (415) 625-2270 BLSinfoSF@bls.gov www.bls.gov/regions/west

Media contact: (415) 625-2270

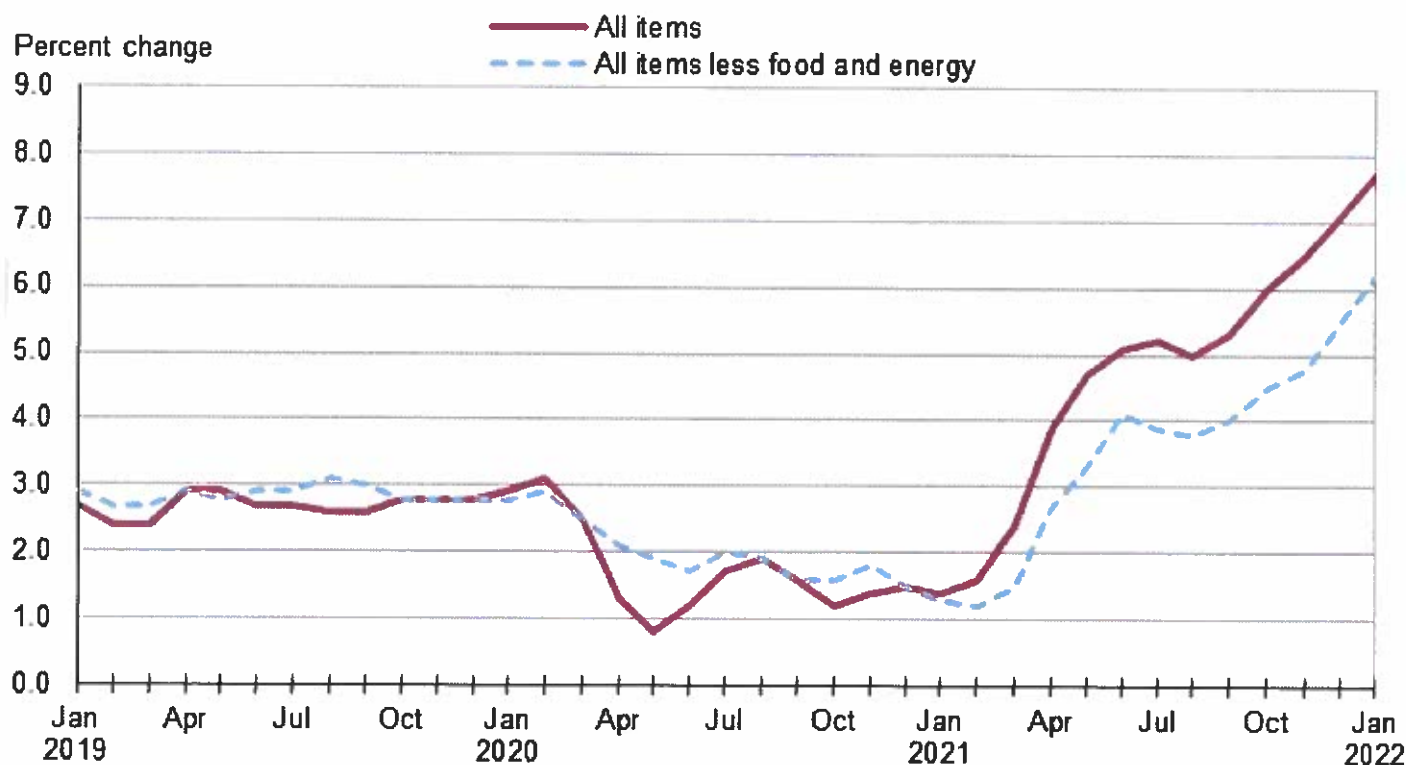
Consumer Price Index, West Region — January 2022

Area prices were up 0.9 percent over the past month, up 7.7 percent from a year ago

Prices in the West Region, as measured by the Consumer Price Index for All Urban Consumers (CPI-U), advanced 0.9 percent in January, the U.S. Bureau of Labor Statistics reported today. (See table A.) The January increase was influenced by higher prices for shelter. (Data in this report are not seasonally adjusted. Accordingly, month-to-month changes may reflect seasonal influences.)

Over the last 12 months, the CPI-U rose 7.7 percent. (See chart 1 and table A.) This was the largest over-the-year increase in the CPI-U for the West Region since June 1982. Food prices rose 7.4 percent. Energy prices jumped 30.3 percent, largely the result of an increase in the price of gasoline. The index for all items less food and energy rose 6.2 percent over the year. (See table 1.)

Chart 1. Over-the-year percent change in CPI-U, West region, January 2019–January 2022



Source: U.S. Bureau of Labor Statistics.

Food

Food prices advanced 1.0 percent for the month of January. (See table 1.) Prices for food at home increased 0.9 percent, influenced by higher prices for fruits and vegetables (1.8 percent). Prices for food away from home advanced 1.0 percent for the same period.

Over the year, food prices rose 7.4 percent. Prices for food at home increased 8.2 percent since a year ago largely due to an increase for meats, poultry, fish, and eggs (13.1 percent). Prices for food away from home increased 6.3 percent.

Energy

The energy index advanced 1.6 percent over the month. The increase was mainly due to higher prices for electricity (3.2 percent). Prices for natural gas service advanced 6.1 percent, but prices for gasoline inched down 0.1 percent for the same period.

Energy prices jumped 30.3 percent over the year, largely due to higher prices for gasoline (42.3 percent). Prices paid for natural gas service increased 25.4 percent, and prices for electricity increased 12.6 percent during the past year.

All items less food and energy

The index for all items less food and energy rose 0.8 percent in January. Higher prices for new and used motor vehicles (1.6 percent), medical care (1.4 percent), and shelter (0.5 percent) were partially offset by lower prices for other goods and services (-0.3 percent).

Over the year, the index for all items less food and energy rose 6.2 percent. Components contributing to the increase included new and used motor vehicles (21.5 percent), household furnishings and operations (8.4 percent), and shelter (4.8 percent).

Table A. West region CPI-U 1-month and 12-month percent changes, all items index, not seasonally adjusted

Month	2018		2019		2020		2021		2022	
	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month	1-month	12-month
January.....	0.5	3.1	0.2	2.7	0.3	2.9	0.2	1.4	0.9	7.7
February.....	0.5	3.1	0.2	2.4	0.4	3.1	0.5	1.6		
March.....	0.4	3.2	0.4	2.4	-0.2	2.5	0.7	2.4		
April.....	0.4	3.2	0.8	2.9	-0.4	1.3	1.0	3.9		
May.....	0.5	3.5	0.5	2.9	0.1	0.8	0.8	4.7		
June.....	0.2	3.6	0.0	2.7	0.4	1.2	0.9	5.1		
July.....	0.1	3.6	0.0	2.7	0.5	1.7	0.6	5.2		
August.....	0.2	3.6	0.1	2.6	0.3	1.9	0.2	5.0		
September.....	0.3	3.4	0.3	2.6	0.0	1.6	0.2	5.3		
October.....	0.4	3.5	0.5	2.8	0.2	1.2	0.8	6.0		
November.....	-0.2	3.3	-0.1	2.8	0.0	1.4	0.5	6.5		
December.....	-0.2	3.1	-0.2	2.8	-0.1	1.5	0.4	7.1		

The February 2022 Consumer Price Index for the West Region is scheduled to be released on March 10, 2022.

Technical Note

The Consumer Price Index (CPI) is a measure of the average change in prices over time in a fixed market basket of goods and services. The Bureau of Labor Statistics publishes CPIs for two population groups: (1) a CPI for All Urban Consumers (CPI-U) which covers approximately 93 percent of the total U.S. population and (2) a CPI for Urban Wage Earners and Clerical Workers (CPI-W) which covers approximately 29 percent of the total U.S. population. The CPI-U includes, in addition to wage earners and clerical workers, groups such as professional, managerial, and technical workers, the self-employed, short-term workers, the unemployed, and retirees and others not in the labor force.

The CPI is based on prices of food, clothing, shelter, and fuels, transportation fares, charges for doctors' and dentists' services, drugs, and the other goods and services that people buy for day-to-day living. Each month, prices are collected in 75 urban areas across the country from about 6,000 housing units and approximately 22,000 retail establishments—department stores, supermarkets, hospitals, filling stations, and other types of stores and service establishments. All taxes directly associated with the purchase and use of items are included in the index.

The index measures price changes from a designated reference date; for most of the CPI-U the reference base is 1982-84 equals 100. An increase of 7 percent from the reference base, for example, is shown as 107.000. Alternatively, that relationship can also be expressed as the price of a base period market basket of goods and services rising from \$100 to \$107. For further details see the CPI home page on the Internet at www.bls.gov/cpi and the CPI section of the BLS Handbook of Methods available on the internet at www.bls.gov/opub/hom/cpi/.

In calculating the index, price changes for the various items in each location are averaged together with weights that represent their importance in the spending of the appropriate population group. Local data are then combined to obtain a U.S. city average. Because the sample size of a local area is smaller, the local area index is subject to substantially more sampling and other measurement error than the national index. In addition, local indexes are not adjusted for seasonal influences. As a result, local area indexes show greater volatility than the national index, although their long-term trends are quite similar. **NOTE: Area indexes do not measure differences in the level of prices between cities; they only measure the average change in prices for each area since the base period.**

The West Region covered in this release is comprised of the following thirteen states: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

Information in this release will be made available to sensory impaired individuals upon request. Voice phone: (202) 691-5200; Federal Relay Service: (800) 877-8339.

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods West (1982-84=100 unless otherwise noted)







































































Item and Group	Indexes				Percent change from-		
	Historical data	Nov. 2021	Dec. 2021	Jan. 2022	Jan. 2021	Nov. 2021	Dec. 2021
Expenditure category							
All Items.....		294.986	296.102	298.705	7.7	1.3	0.9
All items (December 1977=100).....		476.829	478.633	482.840			
Food and beverages		297.051	298.185	301.058	7.1	1.3	1.0
Food		298.117	299.237	302.139	7.4	1.3	1.0
Food at home		281.412	282.075	284.701	8.2	1.2	0.9
Cereals and bakery products		281.699	281.894	287.445	8.3	2.0	2.0
Meats, poultry, fish, and eggs.....		322.231	319.364	318.325	13.1	-1.2	-0.3
Dairy and related products		246.994	249.507	253.776	1.8	2.7	1.7
Fruits and vegetables.....		360.627	363.171	369.795	6.6	2.5	1.8
Nonalcoholic beverages and beverage materials.....		199.121	199.135	199.200	5.2	0.0	0.0
Other food at home		234.472	236.401	238.889	9.2	1.9	1.1
Food away from home.....		319.627	321.369	324.676	6.3	1.6	1.0
Alcoholic beverages		279.885	281.170	283.610	3.7	1.3	0.9
Housing		322.805	324.675	327.420	5.9	1.4	0.8
Shelter		370.626	372.354	374.169	4.8	1.0	0.5
Rent of primary residence(1).....		392.999	394.665	396.584	3.9	0.9	0.5
Owners' equiv. rent of residences(1)(2).....		390.390	392.230	394.239	4.6	1.0	0.5
Owners' equiv. rent of primary residence(1)(2).....		390.255	392.075	394.073	4.6	1.0	0.5
Fuels and utilities.....		348.342	348.975	361.102	12.6	3.7	3.5
Household energy		299.076	299.994	311.805	15.7	4.3	3.9
Energy services(1)		300.657	301.352	313.231	15.4	4.2	3.9
Electricity(1).....		327.921	329.569	340.175	12.6	3.7	3.2
Utility (piped) gas service(1).....		255.836	254.144	269.601	25.4	5.4	6.1
Household furnishings and operations		145.239	147.843	149.800	8.4	3.1	1.3
Apparel		118.244	116.739	118.771	6.1	0.4	1.7
Transportation		253.907	256.142	258.937	21.3	2.0	1.1
Private transportation		253.876	256.169	258.917	22.3	2.0	1.1
New and used motor vehicles(3).....		121.912	124.076	126.103	21.5	3.4	1.6
New vehicles		164.674	166.822	169.151	11.8	2.7	1.4
New cars and trucks(3)(4).....		114.385	115.904	117.548	11.8	2.8	1.4
New cars(4).....			165.345	166.812			0.9
Used cars and trucks.....		191.477	198.068	200.995	39.3	5.0	1.5
Motor fuel		332.424	331.282	331.018	42.3	-0.4	-0.1
Gasoline (all types).....		331.224	330.078	329.754	42.3	-0.4	-0.1
Gasoline, unleaded regular(4).....		328.015	326.757	326.446	43.1	-0.5	-0.1
Gasoline, unleaded midgrade(4)(5).....		315.751	315.000	314.575	39.7	-0.4	-0.1
Gasoline, unleaded premium(4).....		323.016	322.329	321.979	38.6	-0.3	-0.1
Medical Care		549.444	548.403	555.913	3.1	1.2	1.4
Medical care commodities		422.701	424.650	430.046	2.6	1.7	1.3
Medical care services.....		588.643	586.660	594.822	3.2	1.0	1.4
Professional services		379.950	379.608	384.595	4.7	1.2	1.3
Recreation(3).....		122.099	121.371	122.247	6.9	0.1	0.7
Education and communication(3).....		141.856	141.473	141.489	0.6	-0.3	0.0
Tuition, other school fees, and child care(6) ..		1,565.734	1,561.607	1,560.889	3.8	-0.3	0.0
Other goods and services		483.489	486.793	485.277	3.3	0.4	-0.3
Commodity and Service Group							
All Items.....		294.986	296.102	298.705	7.7	1.3	0.9
Commodities		211.588	212.825	214.940	12.3	1.6	1.0

Table 1. Consumer Price Index for All Urban Consumers (CPI-U): Indexes and percent changes for selected periods West (1982-84=100 unless otherwise noted) - Continued

Item and Group	Indexes				Percent change from-		
	Historical data	Nov. 2021	Dec. 2021	Jan. 2022	Jan. 2021	Nov. 2021	Dec. 2021
Commodities less food & beverages		168.924	170.139	171.863	16.0	1.7	1.0
Nondurables less food & beverages		216.992	216.638	217.600	14.9	0.3	0.4
Nondurables less food, beverages, and apparel		286.188	286.615	286.939	17.6	0.3	0.1
Durables		124.016	126.074	128.030	17.2	3.2	1.6
Services		371.298	372.228	375.241	5.1	1.1	0.8
Rent of shelter(2)		394.857	396.705	398.654	4.8	1.0	0.5
Transportation services		321.457	320.436	325.189	6.2	1.2	1.5
Other services		378.727	378.398	379.121	3.9	0.1	0.2
Special aggregate indexes:							
All items less medical care		283.311	284.514	286.903	8.1	1.3	0.8
All items less food		294.627	295.743	298.300	7.8	1.2	0.9
All items less shelter		265.290	266.166	269.099	9.4	1.4	1.1
Commodities less food		173.224	174.451	176.209	15.4	1.7	1.0
Nondurables		257.246	257.616	259.513	10.3	0.9	0.7
Nondurables less food		221.877	221.630	222.681	13.8	0.4	0.5
Nondurables less food and apparel		285.135	285.653	286.167	16.0	0.4	0.2
Services less rent of shelter(2)		382.901	382.770	387.531	5.4	1.2	1.2
Services less medical care services		356.118	357.241	359.907	5.3	1.1	0.7
Energy		323.732	323.449	328.641	30.3	1.5	1.6
All items less energy		295.520	296.741	299.195	6.4	1.2	0.8
All items less food and energy		295.887	297.129	299.513	6.2	1.2	0.8
Commodities less food and energy commodities		155.971	157.409	159.310	11.0	2.1	1.2
Energy commodities		338.473	337.504	337.488	42.0	-0.3	0.0
Services less energy services		376.837	377.785	380.301	4.7	0.9	0.7

Footnotes

(1) This index series was calculated using a Laspeyres estimator. All other item stratum index series were calculated using a geometric means estimator.

(2) Indexes on a December 1982=100 base.

(3) Indexes on a December 1997=100 base.

(4) Special index based on a substantially smaller sample.

(5) Indexes on a December 1993=100 base.

(6) Indexes on a December 1977=100 base.

- Data not available

Regions defined as the four Census regions. West includes Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE: Index applies to a month as a whole, not to any specific date. Data not seasonally adjusted.