

#### IV. BILLINGS

##### A. Schedule

Haulers will be invoiced by OIWM biweekly. Bills are due upon receipt and overdue after 30 days. Should any Hauler fail to pay County within thirty (30) days of the date of invoice, the Hauler shall be liable for an additional one and one-half percent (1 ½%) per month, or portion thereof, on the outstanding balance due provided the late fee calculated is at least \$15 during any biweekly billing period. Should any amount remain unpaid for more than forty-five (45) days, such Hauler shall be considered in default. [ILA Sections 7.1 and 7.2]

##### B. Dispute on Billings

All questions concerning current billings should be directed by Haulers to the OIWM. OIWM shall notify Hauler of any changes to billings. Questions on the status of charge accounts including past billings should be directed to OIWM.

In the event the Hauler is not satisfied with the OIWM's actions before the bill becomes overdue, the Hauler shall first pay the full amount of the disputed charges when due and shall, within thirty (30) days from the date of the receipt of the disputed bill, give written notice of the dispute to the OIWM. The notice of dispute shall identify the disputed bill, state the amount in dispute and set forth a full statement of grounds on which such dispute is based. If the OIWM still does not agree, the dispute shall be considered by the Resource Recovery Board who may reject the Hauler's appeal or may accept or modify the Hauler's appeal should it determine that the amount of the billing does not comply with the terms and conditions of this Plan of Operations. If any adjustment is made to the billing after payment under protest, then the Hauler's account shall be credited by the adjustment amount plus interest from the date of receipt of payment at the rate then being earned on investments in the County's pooled cash program. Should a Hauler disagree with the determination of the Resource Recovery Board, it may pursue any remedy available at law except withholding payment. [ILA Section 7.3]

##### C. Collection of Dishonored Checks

All Haulers whose checks are returned for nonpayment must pay a penalty fee of \$25 on checks up to \$50, \$30 on checks up to \$300 and the greater of \$40 OR 5% of the face value on checks above \$300. The Hauler will be notified by OIWM by telephone that the check has been dishonored. A letter will be sent to the issuer in confirmation of the telephone conversation, a copy of which will be maintained in a pending file until the check is honored.

The issuer will be given twenty (20) days from the date of the letter to honor the check and to pay the appropriate penalty fee and late payment charges. If a dishonored check is not satisfied within the twenty day period, the issuer is once again notified by telephone. A second letter requesting payment will be sent, a copy of which will also be maintained in the pending file. If full payment including appropriate penalty fee and late payment charges is not received after fourteen (14) additional days, all information regarding the transaction and nonpayment will be forwarded to the County Attorney for appropriate legal action. [Chapter 125.0101, F.S, Board of County Commissioners Resolution No. 89-2703 96-999, and Internal Procedure No. IWC-0003]

D. Misidentification of The Origin of Processable Waste

Vehicle drivers shall identify the source of delivered Processable Waste to Resource Recovery System Facilities. Records on those deliveries which are misidentified as originating outside of the Solid Waste Disposal District will be corrected and billed the Hauler by OIWM as provided in this Article along with a penalty fee as follows:

- First Occurrence - \$ 500;
- Second Occurrence - \$1,000;
- Further Occurrences - \$1,500;

Penalty Fees shall be calculated based upon occurrences during the previous 90 calendar days. OIWM shall provide written notice to both the affected Hauler and Contract Community, through its member of the Technical Advisory Committee, of each occurrence of waste misidentification. Any questions or disputes concerning either the origin of Processable Waste or penalty fee shall be processed as described in paragraph B above.

E. Materials recovery Facility Revenue Account Statements

OIWM will supply Haulers and County and Contract Communities monthly with a detailed listing of all deliveries at the Materials Recovery Facility. Quarterly Revenue Distribution Statements and payments will be supplied by OIWM to the County and Contract Communities in substantially the form shown on Exhibit C. Any questions or disputes concerning either the monthly or quarterly statements shall be processed by Haulers or Contract Community as described in paragraph B above.