

**FIRST AMENDMENT
TO AGREEMENT FOR ACCEPTANCE OF BIOSOLIDS AND LAND APPLICATION
NUMBER F001428 WITH GILARDI & JACOBSEN AG SERVICES, INC.**

This First Amendment to Agreement number F001428, dated June 16, 2017 ("Agreement"), previously amended by Amendment to Consent, dated July 25, 2017, is made as of this _____ day of _____, 2018, by and between the City of Santa Rosa, a municipal corporation ("CITY"), and Gilardi & Jacobsen Ag Services, Inc., a California Corporation, as the user ("USER").

RECITALS

- A. CITY, USER and OWNER entered into the Agreement for terms pursuant to which USER receives and applies Biosolids to cropland on Farm.
- B. CITY and OWNER entered into Amendment to Consent for terms pursuant to which OWNER will be named as additional insured on City's general liability insurance policy.
- C. CITY and USER now desire to amend the Agreement for the purpose of extending the Term for four years and increasing Compensation.

AMENDMENT

NOW, THEREFORE, the parties agree to amend the Agreement as follows:

1. TERM

Pursuant to Section 2 of the Agreement, the parties hereby agree to extend the term of the Agreement for four additional years, to April 30, 2022.

2. COMPENSATION

2.1 Section 12.1 of the Agreement is amended to increase the compensation payable to USER under the Agreement as follows:

"As compensation to USER hereunder, CITY shall pay USER as follows:

\$3.25 per wet ton for application of Biosolids;
\$7.10 per ton for application of Lime; and
\$40.00 per acre for application of herbicides.

2.2 Section 12.2 of the Agreement is amended to increase the compensation

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payable to USER under the Agreement as follows:

“Total maximum compensation to be paid hereunder shall in no event exceed the sum of \$63,000.00 for spreading of Biosolids and Lime and \$46,500.00 for spraying of herbicide. The Chief Financial Officer is authorized to pay all proper claims from Charge Number 130807-5321.”

All other terms of the Agreement shall remain in full force and effect.

Executed as of the day and year first above stated.

USER:

CITY OF SANTA ROSA
a Municipal Corporation

Gilardi & Jacobsen Ag Services, Inc.

TYPE OF BUSINESS ENTITY (*check one*):

☐ Individual/Sole Proprietor

☐ Partnership

☒ Corporation

☐ Limited Liability Company

☐ Other (please specify: _____)

By: _____

Print Name: _____

Title: _____

Signatures of Authorized Persons:

APPROVED AS TO FORM:

By: _____

Print Name: _____

Title: _____

By: _____

Print Name: _____

Title: _____

Office of the City Attorney

Taxpayer ID# 35-2454704

CONSENT OF OWNER:

OWNER, Craig Jacobsen, hereby consents to the foregoing First Amendment to Agreement for Acceptance of Biosolids and Land Application Number F001428 between CITY and USER, for the purposes of carrying out the activities on the Farm as set forth in the First Amendment to the Agreement, and hereby further grants access to CITY, its contractors and subcontractors, to enter Farm for the purpose of carrying out such activities. At the request of OWNER, CITY shall provide a certificate of insurance evidencing that CITY is maintaining commercial general liability and comprehensive automobile insurance coverage in the total amount of \$2 million, and workers' compensation as required by law. OWNER shall be named as an additional insured on the CITY's commercial general liability and automobile policy.

OWNER:

Craig Jacobsen

By: _____
Craig Jacobsen

Title: _____