

**SECOND AMENDMENT  
TO GENERAL SERVICES AGREEMENT NUMBER F002525  
WITH PONCIA FERTILIZER, INC.**

This Second Amendment to Agreement number F002525, dated November 3, 2022 (“Agreement”) is made as of this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between the City of Santa Rosa, a municipal corporation (“City”), and Poncia Fertilizer, Inc., a California corporation (“Contractor”).

**RECITALS**

- A. City and Contractor entered into the Agreement for Contractor to provide biosolids hauling services as required by the City of Santa Rosa Compost Facility, which was amended by the First Amendment dated October 19, 2023.
- B. City and Contractor now desire to further amend the Agreement for the purpose of extending the term one-year, with a 3% increase in unit price beginning on January 1, 2025.

**AMENDMENT**

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

1. **TERM, SUSPENSION, TERMINATION**

Pursuant to Section 6(a) of the Agreement, the parties hereby agree to extend the term of the Agreement for an additional one year.

2. **COMPENSATION**

Section 4 of the Agreement is amended to increase the compensation payable to Contractor under the Agreement by \$765,326.05 to read as follows:

“The total of all fees paid to Contractor for the satisfactory performance and completion of all services set forth in the Agreement shall not exceed the total sum of \$2,235,756.05. The Chief Financial Officer is authorized to pay all proper claims from Charge Number 130807.”

3. **BILLABLE RATES, PAYMENTS TO CONTRACTOR**

Section 5.a. is amended to read as follows: “Contractor shall be paid for the performance of services as set forth in Exhibit B-1 until January 1, 2025, at which point Contractor shall be paid for the performance of services as set forth in Exhibit B-2.”

Exhibit B-1 to the Agreement is supplemented by Exhibit B-2, which is attached to this Second Amendment.

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

Executed as of the day and year first above stated.

**CONTRACTOR:**

**CITY OF SANTA ROSA**  
a Municipal Corporation

Name of Firm: Poncia Fertilizer, Inc.

TYPE OF BUSINESS ENTITY (*check one*):

- Individual/Sole Proprietor
- Partnership
- Corporation
- Limited Liability Company
- Other (please specify: \_\_\_\_\_)

By: \_\_\_\_\_

Print Name: Daniel J. Galvin III

Title: Chairman of the Board

*Signatures of Authorized Persons:*

APPROVED AS TO FORM:

By: \_\_\_\_\_

Print Name: Andrew Poncia

\_\_\_\_\_  
Office of the City Attorney

Title: President

ATTEST:

By: \_\_\_\_\_

Print Name: Andrew Poncia

\_\_\_\_\_  
Recording Secretary

Title: Treasurer

City of Santa Rosa Business Tax Cert. No.

\_\_\_\_\_ N/A \_\_\_\_\_

Attachment:

Exhibit B-2 – Compensation Schedule

**EXHIBIT B-2 - COMPENSATION SCHEDULE**

Effective January 1, 2025

| <u>ITEM</u> | <u>QTY</u> | <u>UNIT</u>  | <u>DESCRIPTION</u>  | <u>UNIT COST/WET TN</u> | <u>EXTENDED TOTAL</u> |
|-------------|------------|--------------|---|-------------------------|-----------------------|
| 1           | 3,000      | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant to Compost Facility  | \$3.35                  | \$10,042.50           |
| 2           | 7000       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant and/or Compost Facility to Alpha Storage Facility                        | \$4.89                  | \$34,247.50           |
| 3           | 2340       | Wet Ton/Year | Haul biosolids from Alpha Storage Facility or Laguna Treatment Plant or Compost Facility to Brown Farm              | \$4.89                  | \$11,448.45           |
| 4           | 420        | Wet Ton/Year | Haul Biosolids from Laguna Treatment Plant or from Alpha Farm or from Compost Facility to Stone Farm                | \$4.89                  | \$2,054.85            |
| 5           | 100        | Wet Ton/Year | Haul biosolids from Alpha Storage Facility to Compost Facility  | \$2.32                  | \$231.75              |
| 6           | 100        | Wet Ton/Year | Haul biosolids from Compost Facility to Alpha Storage Facility  | \$2.32                  | \$231.75              |
| 7           | 5000       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant, or Alpha Farm Storage Facility, or Compost Facility to Jacobsen Ranch   | \$12.36                 | \$61,800.00           |
| 8           | 1450       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant or Compost Facility to Redwood Landfill                                  | \$8.24                  | \$11,948.00           |
| 9           | 2880       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant, or Alpha Farm Storage Facility, or Compost Facility to Scally Wag Ranch | \$12.36                 | \$35,596.80           |
| 10          | 3020       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant, or Alpha Farm Storage Facility, or Compost Facility to Leonard Ranch    | \$12.36                 | \$37,327.20           |
| 11          | 4500       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Yenni Ranch       | \$14.68                 | \$66,048.75           |
| 12          | 4000       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Twin House Farm   | \$12.36                 | \$49,440.00           |
| 13          | 2400       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Twin Vista Ranch  | \$12.36                 | \$29,664.00           |
| 14          | 3800       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to BBRRBR, LLC Ranch | \$12.36                 | \$46,968.00           |
| 15          | 5400       | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Herzog Ranch      | \$12.36                 | \$66,744.00           |
| 16          | 4000       | Wet Ton/Year | Haul Biosolids from Laguna Treatment Plant or Alpha Farm Storage Facility, or Compost Facility to Crane Ranch       | \$12.36                 | \$49,440.00           |
| 17          | 11,000     | Wet Ton/Year | Haul biosolids from Laguna Treatment Plant to Lystek Facility at Fairfield Suisun Sewer District Treatment Plant    | \$22.92                 | \$252,092.50          |
|             |            |              | <b>3RD YEAR GRAND TOTAL</b>   |                         | \$765,326.05          |