

**FIRST AMENDMENT
TO GENERAL SERVICES AGREEMENT NUMBER F001601
WITH PONCIA FERTILIZER INC.**

This First Amendment to Agreement number F001601, dated January 18, 2018 ("Agreement") is made as of this _____ day of _____, 2018, by and between the City of Santa Rosa, a municipal corporation ("City"), and Poncia Fertilizer Inc. a California Corporation ("Contractor").

RECITALS

- A. City entered into the Agreement for biosolids hauling services for the City of Santa Rosa Compost Facility, which was previously assigned to and assumed by Contractor on June 21, 2018.
- B. City and Contractor now desire to amend the Agreement for the purpose of extending the term of the Agreement for two years with an average 11.22% increase in contract unit price, and increasing compensation.

AMENDMENT

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

1. TERM, SUSPENSION, TERMINATION

Section 6(a) of the Agreement is amended to read as follows:

"a. The term of this Agreement shall be for one year, commencing on the date it is made above. City and Contractor may, upon mutual written agreement of both parties, extend this Agreement for up to four (4) additional one year terms, or a combination thereof, not to exceed a total of four years."

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

2. COMPENSATION

Effective January 1, 2019, Exhibit B is replaced by Exhibit B-1 to this Amendment and the compensation payable to Contractor under the Agreement is increased by \$665,550 to read as follows:

"The total of all fees paid to Contractor for the satisfactory performance and

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completion of all services set forth in the Agreement shall not exceed the total sum of \$954,445. 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.

CONTRACTOR:

CITY OF SANTA ROSA

a Municipal Corporation

Name of Firm: Poncia Fertilizer Inc.

TYPE OF BUSINESS ENTITY:

____ Individual/Sole Proprietor

____ Partnership

X 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: _____

Title: _____

By: _____

Print Name: _____

Title: _____

Office of the City Attorney

ATTEST:

Board Secretary

City of Santa Rosa Business Tax Cert. No.

____ N/A _____

Attachment:

Exhibit B-1 – Compensation Schedule

EXHIBIT B – 1
COMPENSATION SCHEDULE

<u>ITEM</u>	<u>QTY*</u>	<u>UNIT</u>	<u>DESCRIPTION</u>	<u>UNIT COST/TON</u>	<u>EXTENDED TOTAL</u>
1	8,500	Tons/Year	Haul biosolids from Laguna Treatment Plant to Compost Facility	\$3.75	\$31,875
2	7,100	Tons/Year	Haul biosolids from Laguna Treatment Plant and/or Compost Facility to Alpha Storage Facility	\$4.50	\$31,950
3	2,340	Tons/Year	Haul biosolids from Alpha Storage Facility, Laguna Treatment Plant and/or Compost Facility to Brown Farm	\$4.50	\$10,530
4	420	Tons/Year	Haul Biosolids from Alpha Storage Facility, Laguna Treatment Plant and/or Compost Facility to Stone Farm	\$4.50	\$1,890
5	100	Tons/Year	Haul biosolids from Alpha Storage Facility to Compost Facility	\$4.50	\$450
6	1,500	Tons/Year	Haul biosolids from Laguna Treatment Plant and/or Compost Facility to Redwood Landfill	\$11.00	\$16,500
7	2,310	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to Jacobsen Farm	\$11.00	\$25,410
8	1,440	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to ScallyWag Farm	\$11.00	\$15,840
9	1,510	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to Leonard Farm	\$11.00	\$16,610
10	3,000	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to Yenni Farm	\$13.00	\$39,000
11	1,990	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to Twin House Farm	\$11.00	\$21,890
12	1,000	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to Barella Farm	\$11.00	\$11,000
13	2,500	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to BBRRBR Farm	\$11.00	\$27,500
14	2,030	Tons/Year	Haul biosolids from Laguna Treatment Plant, Compost Facility and/or Alpha Storage Facility to Herzog Farm	\$11.00	\$22,330
15	500	Tons/Year	Haul biosolids from Laguna Treatment Plant to Lystek Facility at Fairfield-Suisun Sewer District Treatment Plant	\$20.00	\$10,000

16	As Needed	Ton/Year	Lystek Facility at Fairfield-Suisun Sewer District Treatment Plant – Tipping Fees	Not to Exceed	\$50,000
			ONE YEAR TOTAL		\$332,775
			TWO YEAR PERIOD TOTAL		\$665,550