

## **FIRST AMENDMENT TO AGREEMENT**

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into on November \_\_, 2021 (Effective Date), amends the Requirements Contract entered into between the City of Fresno, a California municipal corporation (City), and Kemira Water Solutions, Inc., a Delaware corporation (Contractor).

### **RECITALS**

1. City and Contractor entered into a three-year Requirements Contract dated February 8, 2021, to provide ferric chloride for use at the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) in the amount of \$1,218,821.80, with a provision for two one-year extensions (Agreement).
2. City now requires additional ferric chloride for use at the RWRF. The parties have agreed that Contractor will provide additional ferric chloride for an increase in the contract cost.
3. With entry into this Amendment, Contractor agrees it has no claim, demand, or dispute against City.

### **AGREEMENT**

NOW, THEREFORE, the parties agree that the Agreement be amended as follows:

1. The recitals set forth above are incorporated herein by this reference and made part of this Amendment.
2. Contractor shall provide additional ferric chloride for use at the RWRF.
3. City shall pay to Contractor the additional cost of \$580,000, for a total cost in the first year of the contract of \$1,798,821.80. In the remaining two years of the contract with Contractor, City shall pay the additional cost of \$336,018.20 for a total cost in the second and third years of the contract of \$1,554,840.
4. Except as otherwise provided herein, the Agreement remains in full force and effect.

[SIGNATURES FOLLOW ON NEXT PAGE.]

IN WITNESS WHEREOF, the Parties have executed this Amendment at Fresno, California, the day and year first above written.

City of Fresno,  
a California municipal corporation

Kemira Water Solutions, Inc.  
a Delaware corporation

By: \_\_\_\_\_  
Michael Carbajal, Director  
Department of Public Utilities

By: Christina Imbrogno 10/14/2021  
FOA8458302F848D...

Name: Christina Imbrogno

Title: Commercial Support Manager  
(If corporation or LLC., Board  
Chair, Pres. or Vice Pres.)

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: Pauline Brickey 10/15/2021  
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Pauline Brickey Date  
Deputy City Attorney

By: Gayla Walker 10/14/2021  
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Name: Gayla walker

Title: Commercial Support Specialist  
(If corporation or LLC., CFO.,  
Treasurer, Secretary or Assistant  
Secretary)

ATTEST:  
BRIANA PARRA, CMC  
Interim City Clerk

By: \_\_\_\_\_  
Clerk Attesting Date  
Deputy

**Addresses:**

CITY:  
City of Fresno  
Attention: Cory Asher  
5607 W Jensen Ave.  
Fresno, CA 93706  
Telephone No. 559-621-5170  
FAX: 559-498-1700

CONTRACTOR:  
Kemira Water Solutions, Inc.  
Attention: Christina Imbrogno  
4321 W. 6<sup>th</sup> Street  
Lawrence, KS 66049  
Telephone No. 785-842-7424

Attachments:  
Original Requirements Contract