

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT (Amendment) made and entered into on November ¹² __, 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

By: Michael Carbajal 11/12/2021
DocuSigned by: 0DA914AF5B8D44B...
Michael Carbajal, Director
Department of Public Utilities

APPROVED AS TO FORM:
DOUGLAS T. SLOAN

City Attorney
By: Pauline Brickey 10/15/2021
DocuSigned by: 90AD386B875E4B9...
Pauline Brickey Date
Deputy City Attorney

ATTEST:
BRIANA PARRA, CMC
Interim City Clerk

By: Bernard Canez 12/1/2021
DocuSigned by: 2F1BC57F778C4E1...
Bernard Canez 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

Attachments:
Original Requirements Contract

Kemira Water Solutions, Inc.
a Delaware corporation

By: Christina Imbrogno 10/14/2021
DocuSigned by: F0A8458302F848D...
Name: Christina Imbrogno

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

By: Gayla Walker 10/14/2021
DocuSigned by: F0A8458302F848D...
Name: Gayla walker

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

CONTRACTOR:

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