

Master City of San José Consultant Agreement
Amendment to Approved Service Order – RWF Capital Projects
Cover Page

- 1a. CPMS Contract No.: 9855-4 1b. Master Agreement AC No.: 32245
2. First Second Third Fourth Amendment to Approved Service Order No. 3
3. Consultant's Name: Brown and Caldwell ("Consultant")

Project Name: Biosolids Management Strategy – As-Needed Engineering Support for On-site Fertilizer Partner Facility Economic Analysis ("Project")

Amendment Description: The first amendment to Service Order No. 3 to update the types of deliverables and extend the completion date.

4. **The above-referenced Approved Service Order is amended as follows:**
- a. **Budget/Fiscal:** The original Budget/Fiscal information in Section 7 of the Approved Service Order First Revised Budget/Fiscal Attachment Second Revised Budget/Fiscal Attachment is amended to read as set forth in the attached First Second Third Revised Budget/Fiscal Attachment.
 - b. **Tasks – Attachment A:** The original First Revised Second Revised Attachment A is amended to read as set forth in the attached First Second Third Revised Attachment A.
 - c. **Terms and Conditions – Attachment B:** The original First Revised Second Revised Attachment B is amended to read as set forth in the attached First Second Third Revised Attachment B.
 - d. **Compensation Table – Attachment C:** The original First Revised Second Revised Attachment C is amended to read as set forth in the attached First Second Third Revised Attachment C.
 - e. **Level of Effort – Attachment D:** The original First Revised Second Revised Attachment D is amended to read as set forth in the attached First Second Third Revised Attachment D.
5. Each of the attachments to this amendment is incorporated herein by reference and supersedes in its entirety any corresponding attachment to the original Approved Service Order and any amendments thereto.

6. **Consultant Approval:** 
Email: jkivett@brownandcaldwell.com Date: 03/01/2023
Date: 03/01/2023 GMT

7. **Approval as to Form (City Attorney):**

Approved Service Order Amendment Form Approved by the Office of the City Attorney
(There are no material changes to the provisions of the Approved Service Order Amendment Form.)

Approved as to Form:

Sr. Deputy City Attorney: 
Email: rosalia.burgueno-tapia@sanjoseca.gov Date: 03/01/2023

8. **City Director Approval:** 
Email: napp.fukuda@sanjoseca.gov Date: 03/02/2023
Date: 03/03/2023 GMT

First **Second** **Third** **Revised Attachment A: Tasks**

This Revised Attachment A is attached to the First Second Third amendment to Approved Service Order No. 3 issued pursuant to the Master Agreement having the above-referenced CPMS Contract No.

General Description of Project for which Consultant will Provide Services: At the Regional Wastewater Facility (“RWF”), wastewater sludge currently undergoes mesophilic anaerobic digestion to reduce the volume of solid organic material and generate methane gas. The digested sludge (“biosolids”) is then pumped to open-air lagoons where it further stabilizes for approximately three years before it is solar dried for approximately six months in open-air drying beds. All the sundried biosolids are then hauled to the adjacent Newby Island Landfill and used as alternative daily cover. In 2021, this process resulted in a total of 45,086 wet tons of biosolids comprised of 87 percent total solids. The RWF’s active lagoons and drying beds take up more than 500 acres.

In accordance with the RWF’s Biosolids Transition Strategy approved in 2015, which Consultant helped develop, wastewater sludge will soon undergo temperature-phased anaerobic digestion. After digestion, the resulting biosolids will be pumped from the RWF’s main operational area across Zanker Road to a new dewatering facility where centrifuges will mechanically separate some water from the biosolids to reduce the weight and volume of material requiring transport. The dewatering facility is expected to be completed in 2025 and estimated to produce approximately 100,000 wet tons at 22 percent total solids of Class B dewatered biosolids in the first year of operation.

On June 1, 2021, San José City Council approved the RWF’s Dewatered Biosolids Management Strategy which consists of 1) the procurement of short-term contracts with a few different transportation and beneficial use service providers; 2) development of an on-site fertilizer partner facility; and 3) collaboration with others to permit additional local natural and working lands to receive biosolids. Subsequently, in mid-2022, the City retained Arup US, Inc., (“Arup”) to determine if it is economical to proceed with the development of the potential on-site fertilizer partner facility.

The objective of this Service Order (“SO”) is for Consultant to provide as-needed technical support during Arup’s analyses of the potential on-site fertilizer partner facility.

Task No. 1: Subject Matter Expertise

- A. Services:** As requested and as directed by the City’s Contract Manager, Consultant shall provide subject matter experts (“SMEs”) to provide technical advice on biosolids-related matters. Advice from the SMEs may be provided by attending virtual and in-person meetings and workshops, and by reviewing and commenting on Arup’s deliverables.

Consultant may be directed to attend bi-weekly progress meetings with the City and Arup and workshops focused on objectives, delivery and procurement risk, and the results of Arup’s market sounding. Meetings and workshops may be attended virtually or in-person.

Consultant may be directed to review draft and final versions of meeting minutes, presentations, and reports. Comments from the review by Consultant’s SMEs shall be recorded and consolidated within the document (e.g., Word, Excel, or PowerPoint file) reviewed or in an email

as directed by the City's Contract Manager. Consultant may also be directed to review or develop cost and emission estimates. Consultant shall provide a technical memorandum explaining the basis for estimates Consultant prepares.

Consultant's Contract Manager shall assign and coordinate with the appropriate SMEs, track the SME's work progress, and serve as the primary point of contact when communicating with the City. Consultant's Contract Manager shall oversee the budget, schedule, and invoicing.

For each month during which Consultant provides subject matter expertise, Consultant shall prepare and submit a Monthly Progress Report and an invoice by the tenth of the subsequent month, unless requested otherwise by the City's Contract Manager. Each Monthly Progress Report shall include a brief written summary of the service provided, estimate of the overall task's percent completion, and the status of each deliverable. The Monthly Progress Report shall also include any significant issues encountered, risks, or concerns Consultant has (e.g., anticipates difficulty meeting deadline for work due within the next month for some reason beyond their control). Each invoice shall be accompanied by the Monthly Progress Report that describes the work completed during the invoice's billing period.

B. Deliverables: Consultant shall provide the following documents to the City's Contract Manager.

1. An electronic file or email with Consultant's consolidated comments for each deliverable reviewed by the date directed by City's Contract Manager.
2. A technical memorandum in an electronic editable file format and as a PDF file for each estimate prepared by the date directed by the City's Contract Manager.
3. Monthly Progress Reports shall be provided as a PDF file.
4. Monthly invoices shall be provided as a PDF file with each Monthly Progress Report.

C. Completion Time: The Consultant must complete the services and deliverable for this task in accordance with whichever one of the following time is marked:

- On or before the following date: June 30, 2023.
- On or before ____ Business Days from _____.