

**AMENDMENT NO. 1 TO RENEW AND EXTEND
THE STEAM SALE AGREEMENT
BETWEEN THE
CITY OF SANTA CLARA, CALIFORNIA,
AND
THE NEWARK GROUP, INC.**

PREAMBLE

This agreement ("Amendment No. 1") is entered into between the City of Santa Clara, California, a chartered California municipal corporation (City or Seller) and the Newark Group, Inc. a New Jersey corporation, (Buyer). Seller and Buyer may be referred to individually as a "Party" or collectively as the "Parties" or the "Parties to this Agreement."

RECITALS

- A. The Parties previously entered into an agreement entitled "Steam Sales Agreement by and Between the City of Santa Clara and The Newark Group, Inc.," dated November 17, 2015 (Agreement); and
- B. The Parties entered into the Agreement for the purpose of having the City provide the steam from the City's Cogen facility to the Customer for purchase for its use in the manufacture of recycled paper products at the Paper Mill.
- C. The Parties now wish to renew and extend the Original Agreement to extend the Term of the Steam Sales Agreement one (1) additional year while further negotiating for future periods.

NOW, THEREFORE, the Parties agree as follows:

AMENDMENT TERMS AND CONDITIONS

- 1. Reinstatement of Agreement. The Termination of the Agreement is hereby revoked and, except as expressly modified by this Amendment, the Agreement is reinstated in its entirety and shall be in full force and effect as if the same had never been terminated.
- 2. Exhibit B, Section 1 of the Agreement, is amended to read as follows:

Term of Agreement: November 1, 2015 through October 31, 2021.

3. Except as set forth herein, all other terms and conditions of the Agreement shall remain in full force and effect. In case of a conflict in the terms of the Agreement and this Amendment No. 1, the provisions of this Amendment No. 1 shall control.

The Parties acknowledge and accept the terms and conditions of this Amendment No. 1 as evidenced by the following signatures of their duly authorized representatives.

CITY OF SANTA CLARA, CALIFORNIA
a chartered California municipal corporation

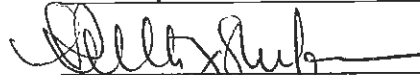
Approved as to Form:



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Arellano
Date: 2021.03.11 15:35:24
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BRIAN DOYLE
City Attorney

Dated: 3/12/2021



DEANNA J. SANTANA
City Manager
1500 Warburton Avenue
Santa Clara, CA 95050
Telephone: (408) 615-2210
Fax: (408) 241-6771

"CITY"

THE NEWARK GROUP, INC.
a New Jersey Corporation

Dated: 2/3/21

By (Signature): D.T. Scott

Name: David Scott, P.E.

Title: Vice President

Principal Place of
Business Address: 525 Mathew Street
Santa Clara, CA 95050

Email Address: David.Scott@greif.com

Telephone: (770) 375-5176

"CUSTOMER"