



County of Santa Clara

Office of the County Executive
Procurement Department
130 West Tasman Drive
San Jose, CA 95134
Telephone 408-491-7400

FIFTH AMENDMENT TO AGREEMENT # CW2239583 BY AND BETWEEN THE COUNTY OF SANTA CLARA AND WESTERN STATES OIL COMPANY

This is the Fifth Amendment to the agreement between the County of Santa Clara ("County") and Western States Oil Company ("Contractor"), effective January 12, 2021 as amended from time to time (collectively, the "Agreement"), to provide Ultra-Low Sulfur Diesel and Renewable Diesel 4001 Gallons and Up and Big Tanks for the County. The County and Contractor may be referred to herein individually as a "Party" and collectively as the "Parties."

This Amendment is covered under Resolution BOS-2024-120, adopted by the County of Santa Clara Board of Supervisors on September 24, 2024 (legislative file 121759), and providing for the Delegation of Authority to the Chief Executive Officer or designee relating to the potential purchase of Regional Medical Center and related assets.

The Parties agree as follows:

1. **Amendment Effective Date.** This Fifth Amendment is effective as of the date it is fully executed as set forth below (the "Amendment Effective Date").
2. **Key Provision, Authorized User,** is amended to add the following County site:

Regional Medical Center
225 North Jackson Avenue
San Jose, California 95116

3. Key Provision, TOTAL AGREEMENT VALUE, on page # 2 is hereby revised to read as follows:

"The total not to exceed value of this Agreement is \$5,500,000, which represents an increase of \$500,000 from the prior not to exceed value of \$5,000,000. Contractor understands that this not to exceed value does not represent a commitment by County to Contractor."

All other terms and conditions of the Agreement remain in full force and effect. In the event of a conflict between the original Agreement and this Amendment, this Amendment controls.

Prepared by Bryant Lee, Buyer III at (408) 491-7451 or bryant.lee@prc.sccgov.org.

Administered by Ralph J Murrieta, Jr, Buyer I at (408) 491-7489 or ralph.murrietajr@prc.sccgov.org and Samuel Hirsch, Buyer III at (408) 491-7485 or samuel.hirsch@prc.sccgov.org.

The Agreement as amended constitutes the entire agreement of the parties concerning the subject matter herein and supersedes all prior oral and written agreements, representations and understandings concerning such subject matter.

By signing below, signatory warrants and represents that they executed this Amendment in their authorized capacity, that they have the authority to bind the entity listed below to contractual obligations and that by their signature on this Amendment, the entity on behalf of which they acted, executed this Amendment.

COUNTY OF SANTA CLARA

DocuSigned by:
Matthew Hada 2/20/2025
CEA090A27EB84EA...
Matthew Hada Date
Director of Procurement

DocuSigned by:
Paul E. Lorenz 2/21/2025
47ECF3A78343489...
County Executive or Designee Date

CONTRACTOR

Signed by:
Greg Michael
By: 303E49AF6E064F5...

Print: Greg Michael

Title: President

Date: 2/14/2025

APPROVED AS TO FORM AND LEGALITY

DocuSigned by:
Robert Nakamae 2/13/2025
797E74E07E8345C...
Robert Nakamae Date
Deputy County Counsel