

25-0308

Agreement No. 25-423

**AMENDMENT NO. 2 TO SERVICE AGREEMENT**

This Amendment No. 2 to Service Agreement ("Amendment No. 2") is dated July 24<sup>th</sup> 2025 and is between Clean Earth Environmental Solutions, Inc., a Delaware Corporation ("Contractor"), and the County of Fresno, a political subdivision of the State of California ("County").

**Recitals**

A. On January 24, 2023, the County and the Contractor entered into Agreement number 23-043, ("Agreement"), for the provision of Household Hazardous Waste (HHW) Operations Services.

B. On October 24, 2023, the Board executed Amendment 1 to the Agreement to include mobile collection program costs.

C. The County and the Contractor now desire to amend the Agreement to expand the list of material waste streams accepted at the Environmental Compliance Center.

The Parties therefore agree as follows:

1. The following shall be added to the Agreement on page 3, line 3, immediately following the word "Agreement":

"Director is authorized to approve, in writing, the reasonable reimbursement rates for additional accepted streams of household hazardous waste (defined by *Health and Safety Code §25218.1(e)*), not listed in Exhibit B-2025, provided that they do not result in any increase of the contract maximum.

2. Pages 9 through 16 of Exhibit B Attachment 11 of the Agreement, located on page B-9 – 16 are deleted in their entirety and replaced with the attached Exhibit B-2025, pages 9 through 16. All remaining pages of Exhibit B will remain.

3. When both parties have signed this Amendment No. 2, the Agreement, Amendment No.1 to the Agreement, and this Amendment No. 2 combined constitute the entire Agreement.

4. The Contractor represents and warrants to the County that:

1 a. The Contractor is duly authorized and empowered to sign and perform its  
2 obligations under this Amendment.

3 b. The individual signing this Agreement on behalf of the Contractor is fully  
4 authorized to do so and his or her signature on this Amendment legally  
5 binds the Contractor to the terms of this Amendment.

6 5. The parties agree that this Amendment may be executed by electronic signature  
7 as provided in this section.

8 a. An "electronic signature" means any symbol or process intended by an  
9 individual signing this Amendment to represent their signature, including but not  
10 limited to (1) a digital signature; (2) a faxed version of an original handwritten  
11 signature; or (3) an electronically scanned and transmitted (for example by PDF  
12 document) version of an original handwritten signature.

13 b. Each electronic signature affixed or attached to this Amendment (1) is  
14 deemed equivalent to a valid original handwritten signature of the person  
15 signing this Amendment for all purposes, including but not limited to  
16 evidentiary proof in any administrative or judicial proceeding, and (2) has  
17 the same force and effect as the valid original handwritten signature of that  
18 person.

19 c. The provisions of this section satisfy the requirements of Civil Code section  
20 1633.5, subdivision (b) in the Uniform Electronic Transaction Act (Civil  
21 Code, Division 3, Part 2, Title 2.5, beginning with section 1633.1).

22 d. Each party using a digital signature represents that it has undertaken and  
23 satisfied the requirements of Government Code section 16.5, subdivision  
24 (a), paragraphs one (1) through five (5), and agrees that each other party  
25 rely upon that representation.

26 e. This Amendment No. 2 is not conditioned upon the parties conducting the  
27 transactions under it by electronic means and either party may sign this  
28 Amendment No. 2 with an original handwritten signature

7. The Agreement as amended by this Amendment No. 2 is ratified and continued. All provisions of the Agreement not amended by this Amendment No. 2 remain in full force and effect.

*[Signature Page Follows]*

1 The parties are signing this Amendment No. 2 on the date stated in the introductory clause.

2 CLEAN EARTH ENVIRONMENTAL  
3 SOLUTIONS, INC.

COUNTY OF FRESNO

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Signed by:

*Brian Swanson*

07/25/25 | 10:26 AM EDT

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Brian Swanson, Vice President of  
Commercial Program Development

933 First Avenue, Suite 200  
King of Prussia, PA 19406

*Ernest Buddy Mendes*

Ernest Buddy Mendes, Chairman of the  
Board of Supervisors of the County of  
Fresno

**Attest:**

Bernice E. Seidel  
Clerk of the Board of Supervisors  
County of Fresno, State of California

By: *Hannah*

Deputy

For accounting use only:

Org No.: 9015  
Account No.: 7295  
Fund No.: 0701  
Subclass No.: 15001