

EXHIBIT A

SCOPE OF SERVICES

The City of San Leandro Water Pollution Control Plant (WPCP), located at 3000 Davis Street, San Leandro currently has approximately 2500 tons of stockpiled anaerobically digested municipal sewage sludge to be hauled immediately. WPCP produces an estimated 2000 tons of biosolids annually.

Disposal options must be approved by the Project Manager for the City of San Leandro.

Biosolids Removal Procedures

The Contractor shall load, haul, and legally dispose of the sludge. The Contractor shall coordinate commencement of work with the Project Manager. The Contractor shall pay for all equipment rental, permits, receiving facility fees, tariffs, and personnel costs incurred in legally disposing of the sludge. Any negligence on the Contractor's part shall be rectified by the Contractor.

Tonnage may be determined by field- site scales supplied by the contractor; or by an off-site certified scale approved by the project manager prior to use, with documentation of each load required to be submitted to the project manager. Dust control shall be the responsibility of the Contractor during the loading and hauling operation. Plant effluent water (No. 3 water) is available for use by the contractor if the contractor wishes to lightly water down the loaded material to assist in dust control, after the load has been weighed. All trucks shall be tarped. Trucks must be cleaned prior to exiting the Water Pollution Control Plant to prevent biosolids from tracking onto public streets.

The biosolids are stockpiled on an asphalt-paved sludge drying bed at the WPCP. There is good access and egress from the sludge storage area. There is a sand drainage area within the mid-section of each bed. This drainage area must not be driven upon or crossed with heavy equipment. The Contractor agrees to repair any damage to the beds or other City property caused by Contractors operations.

The stockpiled biosolids might have areas within the stockpile that are hot, smoking and/ or smoldering. All loads must be covered; therefore the contractor will be responsible for cooling any hot spots to prevent possible damage to covers, tarps, etc.

Regulatory Compliance and Permitting

By entering into this Agreement, Contractor certifies that it will comply with all applicable federal, state, county, and local laws, rules, and regulations relating to land application of biosolids or other disposal options.

Contractor acknowledges that both it and the City are subject to the requirements of 40 C.F.R. §§ 503, which defines the federal standards, practices, and legal requirements for beneficial use of biosolids through placement in or on soil; as well as related state and local requirements. Contractor certifies that it has reviewed, is familiar with, and understands all applicable standards for the use or disposal of biosolids, including without limitation the requirements of 40 C.F.R. §§ 503, Subparts B and D, the requirements identified in the City's permit(s) (as defined by 40 C.F.R. § 503.3), and the specific standards, requirements, and guidance materials identified below. The City acknowledges its responsibility in ensuring compliance with the same federal, state, and local regulations and this contract does not obviate that responsibility.

Changes in laws, ordinances, rules and/or regulations necessitated by any revision in such laws, ordinances, rules and/or regulations shall be brought to the attention of the City in writing to the City sufficiently in advance of their implementation. Should any Change in Law or regulatory requirement, ordinance or permit condition substantially impact Consultant's ability to performed services as set forth in the Scope of Work, or substantially increase costs to perform the Scope of Work occur during the term of the Agreement, the Parties agree in advance to consider modification of this Agreement to comply with the change in law and the representative costs to perform the Scope of Work, under the new regulatory requirements. Notwithstanding this provision, neither Party shall have any obligation to amend this Agreement, nor shall it affect the City's right to terminate the Agreement, as referenced in Section 8.

The Contractor shall be responsible for all expenses for meeting all monitoring and reporting requirements imposed by all regulatory agencies having jurisdiction over Contractor operations.

The Contractor shall provide improvements and shall pay all operating and improvement expenses required per the requirements of the responsible regulatory agencies.

Copies of all regulatory permits, monitoring reports, and other relative data shall be required to be furnished to the City. Any actual or anticipated changes in permit requirements that may affect the Contractor's operations shall be reported to the District at the earliest possible time.

By entering into this Agreement, Contractor certifies that the City has provided it with the information necessary to comply with the requirements of 40 C.F.R. §§ 503, Subpart B, as well applicable state and local requirements.

A. Federal Requirements

Applicability

- Contractor acknowledges that 40 C.F.R. §§ 503, Subpart B applies to any person who prepares sewage sludge that is applied to the land, to any person who applies sewage sludge to the land, to sewage sludge applied to the land, and to the land on which sewage sludge is applied.

Land Application Standards and Practices

- Contractor certifies that it has reviewed and understands the special definitions provided in 40 C.F.R. § 503.11.
- Contractor certifies that it has reviewed, understands, and will comply with the land application requirements identified in 40 C.F.R. § 503.12, including without limitation the requirement that the person who applies sewage sludge to the land shall obtain information needed to comply with the requirements of 40 C.F.R. §§ 503, Subpart B.
- Contractor certifies that it has reviewed, understands, and will comply with the management practices identified in 40 C.F.R. § 503.14.
- Contractor certifies that it has reviewed, understands, and will comply with the management practices for Class B biosolids identified in 40 C.F.R. Section 503.32(b)(5).

Provision of Required Information to Site Owner

- Contractor certifies that it shall provide the owner or lease holder of the land on which the biosolids are applied notice and all necessary information to comply with the requirements 40 C.F.R. §§ 503, Subpart B, pursuant to 40 C.F.R. § 503.12(h).

Guidance Materials

- Contractor certifies that it has reviewed, understands, and will comply with the management and practices guidance provided by the Environmental Protection Agency (“EPA”) in the following documents about land application of biosolids, consistent with the requirements of 40 C.F.R. §§ 503, Subpart B:
 - Fact Sheet: Land Application of Biosolids
 - A Guide for Land Appliers on the Requirements of the Federal Standards for the Use or Disposal of Sewage Sludge, 40 CFR Part 503
 - Process Design Manual: Land Application of Sewage Sludge and Domestic Septage
- Contractor certifies that it has reviewed, understands, and will comply with the regulatory guidance provided by the EPA in the following documents, consistent with the requirements of 40 C.F.R. §§ 503, Subpart B:
 - Federal Register: Standards for the Use or Disposal of Sewage Sludge; pp. 9360-9363
 - A Plain English Guide to the EPA Part 503 Biosolids Rule
- Contractor certifies that it will obtain and familiarize itself with future regulatory, management,

and practices guidance offered by EPA, as well as other pertinent industry materials relating to regulatory requirements for land application of biosolids, on an ongoing basis.

B. State and Local Requirements

Contractor certifies that it will comply with all applicable state, county, and local laws, rules, and regulations relating to land application of biosolids in the jurisdictions in which Contractor applies biosolids obtained from the City, including future laws, rules, and regulations not yet in effect. The following sections identify the state and local requirements that are applicable to biosolids land application sites planned to be used by the Contractor. The sections below do not encompass the jurisdictions of sites not yet proposed to the City by the Contractor. Contractor certifies that should additional sites with different jurisdictions be proposed in the future pursuant to this Agreement—or if the jurisdictions in which Contractor currently applies biosolids implement new or additional requirements—it will comply with all applicable state, county, and local laws, rules, and regulations relating to land application of biosolids in those jurisdictions.

State Water Resources Control Board General Order

Contractor certifies that it has reviewed, understands, and will comply with the land application requirements identified in State Water Resources Control Board Water Quality Order No. 2004-0012-DWQ “General Waste Discharge Requirements for the Discharge of Biosolids to Land for use as a Soil Amendment in Agricultural, Silvicultural, Horticultural, and Land Reclamation Activities (General Order - GO)”. The General Order uses the 40 CFR Part 503 requirements as baseline requirements for compliance. It provides additional requirements, as well as permitting and oversight. A Regional Water Quality Control Board may choose not to issue the General Order in cases where a local agency already adequately regulates the activity or if it issues a site-specific Waste Discharge Requirement (WDR) permit. Thus, the General Order may not apply to all biosolids land application practices in California, but the contractor shall determine applicability and comply with all necessary requirements of the GO or the WDR as well as any local requirements.

Responsibilities and Oversight

By entering into this agreement, the City acknowledges it has properly treated biosolids to meet the requirements of subparts B and D of 40 C.F.R. part 503. The City certifies that it understands all of the requirements of 40 CFR part 503 that is required of the Contractor. The City certifies that it will observe the Contractor's operations and land application activities as appropriate. Such observations may be announced or unannounced in advance. The City will receive and review the Contractor's land application protocols, including how application rates are set and achieved. One means of calculation the application rate (based on Wisconsin DNR Form 3400-054) is as follows (this should be close to what the Contractor calculates):

- a. Determine the recommended pounds per acre of Nitrogen for each crop type.
- b. Subtract the pounds per acre of other sources of nitrogen the farmer will apply to determine the number of pounds per acre of Nitrogen needed and to be supplied by the biosolids. This will equal A.
- c. Multiply the percent dry weight of Ammonium Nitrogen (NH_4) by 20 if the biosolids will be incorporated/injected or by 10 if the biosolids will be surface applied. This will equal B expressed in pounds per dry ton.
- d. Subtract Ammonium Nitrogen (NH_4) from Total Kjeldahl Nitrogen (TKN). This will equal Organic Nitrogen expressed as a percent dry weight.
- e. Multiply Organic Nitrogen by 5. This will equal C expressed in pounds per dry ton, and assumes a 25% mineralization rate.
- f. Add B and C to calculate D.
- g. Divide A by D to calculate E, which is the recommended biosolids application rate expressed in dry tons per acre.
- h. Divide E by the biosolids percent total solids and multiply by 119. This will equal the application rate in cubic yards per acre.

Documentation and Reporting

The Contractor shall supply copies of transportation manifests for each load. Copies shall be submitted to the City within 30 days after disposal of biosolids and included with invoices. If the biosolids are used for land application, the Contractor shall supply information sufficient for the timely completion of EPA Annual Reports including:

- Annual Operations Summary
- Field Location in longitude and latitude
- Land owner
- Number of acres utilized
- Application Dates
- Number of acres utilized
- Crop grown
- Amount of biosolids applied in wet tons, dry tons and dry metric tons
- Planting date and harvest date (where applicable)
- Cumulative amount of pollutants applied
- Application Field Map(s)
- Certification statement certifying federal and state requirements were met
- Other information as necessary for the completion of the report

The Contractor must be registered with CalRecycle Recycle and Disposal Reporting System (RDRS) and provide the RDRD ID for timely completion of quarterly AB 901 reports.

The Contractor is solely responsible for cleanup of any spills on public or private streets or properties. The costs of any fines from improper management or accidental spillage shall be borne by the Contractor in its entirety.

In-Use Off-Road Diesel Fleet Requirements

Contractor shall comply with the following: Title 13 CCR section 2449: General Requirements for In-Use Off-Road Diesel Fueled Fleets, paragraph (i) which reads:

Beginning January 1, 2024, prime contractors and public works awarding bodies are subject to the requirements in section 2449(i)(1) – (4) below.

- a. For a project involving the use of vehicles subject to this regulation, the prime contractor or public works awarding body, as applicable, must obtain copies of the valid Certificates of Reported Compliance, as described in section 2449(n), for the fleet selected for the contract and their listed subcontractors, if applicable, prior to entering into a new or renewed contract with that fleet.
- b. No prime contractor or public works awarding body, as applicable, shall enter into a contract with a fleet for which it does not have a valid Certificate of Reported Compliance for the fleet and its listed subcontractors, if applicable, prior to entering into a new or renewed contract with that fleet.
- c. The Certificates of Reported Compliance received by the prime contractor or public works awarding body, as applicable, for a project must be retained for three years after that project's completion. Upon request by CARB, these records must be provided to CARB within five business days of the request.
- d. Situations in which prime contractors or public works awarding bodies, as applicable, are contracting for projects that are considered emergency operations, as defined in section 2449(c)(18), are exempt from the requirements in section 2449(i)(1)-(3), but must still retain records verifying vehicles subject to the regulation that are operating on the emergency operations project are actually being operated on the project for emergency operations only. These records must include a description of the emergency, the address or a description of the specific location of the emergency, the dates on which the emergency operations were performed, and an attestation by the fleet that the vehicles are operated on the project for emergency operations only.

Information on how to obtain this certificate can be found on California Air Resources Board website:
<https://ww2.arb.ca.gov/our-work/programs/use-road-diesel-fueled-fleets-regulation>