



**AMENDMENT NO. 1 TO AGREEMENT A4155R  
2018 SAFE, CLEAN WATER PRIORITY A GRANT PROGRAM  
BETWEEN THE SANTA CLARA VALLEY WATER DISTRICT AND PS CREATIONS**

This Amendment No. 1 (Amendment), effective as of the date it is fully executed by the Parties, amends the terms and conditions of the 2018 Safe, Clean Water Priority A Grant Program Agreement A4155R (Agreement) dated June 29, 2018, between SANTA CLARA VALLEY WATER DISTRICT (Valley Water) and PS Creations, L.L.C., a California limited liability company (Grantee), collectively, the "Parties."

**RECITALS**

WHEREAS, the Agreement provides for Grantee to receive a grant amount of up to \$30,192 from the 2018 Safe, Clean Water Priority A Grant Program for the PlateScape Project (Project); and

WHEREAS, the Grantee's ability to perform the scope as described in the Agreement was significantly impeded by the State Emergency Services Act, the Governor's Emergency Declaration related to the COVID-19 pandemic, the Governor's Executive Order N-29-20, and Order of the County of Santa Clara Public Health Officer dated March 16, 2020 prior to the Agreement expiring on June 30, 2020; and

WHEREAS, Project activities consisting of testing and analyzing water savings are to be conducted in open, fully operational restaurants, which are venues that have essentially been closed to the public for most of the past ten months; and

WHEREAS, the Agreement expired on June 30, 2020, at which time, the Project could not have been completed; and

WHEREAS, Grantee has invoiced and received \$7,146 of the total Project grant amount. Pursuant to this Amendment No. 1, the remaining grant amount of \$23,046 could be paid to Grantee by Valley Water for any work completed during the retroactively extended Agreement term; and

WHEREAS, the Parties now desire to amend the Agreement to revise Grantee's Project Schedule and to retroactively extend the term of the Agreement to provide time required for the Grantee to complete the Project.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein and notwithstanding anything to the contrary in the Agreement, Grantee and Valley Water hereby agree as follows:

1. Section 1. General Provisions, H. Agreement Term, paragraph 1., is amended to retroactively extend the expiration date of "June 30, 2020" with "June 30, 2021."

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2. Appendix B to the Agreement, PROJECT SCHEDULE AND BUDGET, is amended to revise the Project Schedule as set forth in Revised Appendix B, Project Schedule, attached hereto and incorporated herein by this reference.
3. Section 3. Miscellaneous Provisions, B. Notices is revised to state as follows:

All notices and other communication required or permitted to be given under this Agreement shall be in writing and shall be personally serviced or mailed, postage prepaid and return receipt requested, addressed to the respective parties as follows:

<b>To Valley Water:</b>	<b>To Grantee:</b>
Rachael Gibson Chief of External Affairs Santa Clara Valley Water District 5750 Almaden Expressway San Jose, CA 95118-3686 E-mail: rgibson@valleywater.org	Ryan Kruse President 10580 San Marcos Road Atascadero, CA 93422 Phone: (805) 975-7111 E-mail: ryan.platescrape@gmail.com
<b>Valley Water Contact:</b>	<b>Grantee Contact:</b>
Kristen Yasukawa Program Administrator Designated Project Manager Santa Clara Valley Water District 5750 Almaden Expressway San Jose, CA 95118 Phone: (408) 630-2876 E-mail: kyasukawa@valleywater.org	Stephen Zoeller Chief Operating Officer 10580 San Marcos Road Atascadero, CA 93422 Phone: (203) 979-6005 E-mail: stephen@platescrape.com

4. All other terms and conditions of Agreement No. A4155R, not amended as stated herein, remain in full force and effect.

(SIGNATURES FOLLOW ON NEXT PAGE)

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IN WITNESS WHEREOF, THE PARTIES HAVE SET FORTH BELOW THEIR CONSENT TO THE TERMS AND CONDITIONS OF THIS AMENDMENT NO. 1 TO AGREEMENT NO. A4155R THROUGH THE SIGNATURES OF THEIR DULY AUTHORIZED REPRESENTATIVES.

**PS Creations, L.L.C.**  
"Grantee"

By:  DocuSigned by:  
58D2E955E8DD413 \_\_\_\_\_ Date: 1/7/2021  
Ryan Kruse  
President

**SANTA CLARA VALLEY WATER DISTRICT**  
"Valley Water"

By:  DocuSigned by:  
404EF872AD8C4F8... \_\_\_\_\_ Date: 2/8/2021  
Rick L. Callender, Esq.  
Chief Executive Officer

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**REVISED APPENDIX B  
Project Schedule and Budget**

<b>Task#</b>	<b>Task Description</b>	<b>Planned Task Start Date</b>	<b>Planned Task End Date</b>	<b>Total Task Cost Estimate</b>	<b>Grant Funding Requested</b>
1	Manufacture 12 PlateScrapes	6/30/2018	8/1/2018	\$3,000	\$0
2	Develop Participation Agreements	6/30/2018	8/1/2018	\$3,000	\$0
3	Experiment Site Selection	7/1/2018	4/19/2019	\$8,000	\$0
4	Establish Test Methodology	7/15/2019	8/1/2018	\$1,440	\$1,440
5	Test Training and Setup	8/18/2018	4/20/2021	\$11,400	\$5,400
6	Test Subject Fee	8/18/2018	4/28/2021	\$15,000	\$15,000
7	Test Technician Fee	8/18/2018	4/28/2021	\$8,352	\$8,352
8	Data Analysis	5/1/2019	6/30/2021	\$10,200	\$0
11	Quarterly Reports	Quarterly	6/30/2021	\$0	\$0
12	Draft Final Report	5/1/2019	6/30/2021	\$0	\$0
13	Final Report	5/1/2019	6/30/2021	\$0	\$0
<b>TOTAL</b>				<b>\$60,392</b>	<b>\$30,192</b>

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