

# Attachment D

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**AMENDMENT NO. 3  
TO AGREEMENT  
BETWEEN COUNTY OF MONTEREY AND  
THE LABOR COMPLIANCE MANAGERS**

**THIS AMENDMENT NO. 3** to the Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and The Labor Compliance Managers (hereinafter, "CONTRACTOR") is hereby entered into between the County and the CONTRACTOR (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

**WHEREAS**, CONTRACTOR entered into an Agreement with County on February 4, 2014 (hereinafter, "Agreement") to provide on-call wage rate and labor compliance monitoring (hereinafter, "services") which provided for an initial term to commence on December 1, 2013 through and including December 31, 2015 with the option to extend the Agreement for three (3) additional one (1) year increments at the County's discretion for an amount not to exceed \$50,000; and

**WHEREAS**, Agreement was amended by the Parties on April 5, 2015 (hereinafter, "Amendment No. 1") to extend the term for one (1) additional year through December 31, 2016 and to increase the amount by \$37,400 which resulted in a not to exceed amount of \$87,400; and

**WHEREAS**, Agreement was amended by the Parties on September 12, 2016 (hereinafter, "Amendment No. 2") to extend the term for one (1) additional year to December 31, 2017 and to increase the amount by \$145,000 which resulted in a not to exceed amount of \$232,400; and

**WHEREAS**, the County has a continued need for services to complete the East Garrison Development Project; and

**WHEREAS**, additional time and funding are necessary; and

**WHEREAS**, the Parties wish to further amend the Agreement as it relates to the East Garrison Development Project to extend the term for an additional eleven (11) months to December 1, 2018 and to increase the not to exceed amount by \$120,000 for a total amount not to exceed \$352,400 to allow CONTRACTOR to continue to provide services identified in the Agreement and as amended by this Amendment No. 3.

**NOW, THEREFORE**, the Parties agree to amend the Agreement as follows:

1. Amend the first sentence of Paragraph 3.1 under Section 3.0, "Term of Agreement", to read as follows:

The initial term shall commence on December 1, 2013 through and including December 1, 2018.

Amendment No. 3 to Agreement  
The Labor Compliance Managers  
On-Call Wage Rate and Labor Compliance Monitoring (RFQ#10422)  
RMA  
Term: December 1, 2013 to December 1, 2018  
Not to Exceed: \$352,400

2. Amend the fourth Paragraph of Exhibit A, Payment Provisions, of the Agreement to read as follows:

The total fee amount paid under this Agreement shall not exceed the sum of \$352,400.

3. All other terms and conditions of the Agreement remain unchanged and in full force.
4. This Amendment No. 3 and all previous amendments shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
5. The recitals to this Amendment No. 3 are incorporated into the Agreement and this Amendment No. 3.

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RMA  
Term: December 1, 2013 to December 1, 2018  
Not to Exceed: \$352,400

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 3 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

**COUNTY OF MONTEREY**

**CONTRACTOR\***

By: \_\_\_\_\_  
Contracts/Purchasing Officer

\_\_\_\_\_ The Labor Compliance Managers  
Contractor's Business Name

Date: \_\_\_\_\_

By: \_\_\_\_\_  
(Signature of Chair, President or Vice President)

Its: Lindley Roberts - Owner  
(Print Name and Title)

Date: 6/5/17

**Approved as to Form and Legality  
Office of the County Counsel**

By: \_\_\_\_\_  
Brian Briggs Deputy County Counsel

By: \_\_\_\_\_  
(Signature of Secretary, Asst. Secretary, CFO,  
Treasurer or Asst. Treasurer)

Its: \_\_\_\_\_  
(Print Name and Title)

Date: 6-14-17

Date: \_\_\_\_\_

**Approved as to Fiscal Provisions**

By: \_\_\_\_\_  
Auditor/Controller

Date: 6-14-17

**Approved as to Indemnity and Insurance Provisions**

By: \_\_\_\_\_  
Risk Management

Date: \_\_\_\_\_

\*INSTRUCTIONS: IF CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. IF CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.

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