AMENDMENT NO. 1 TO AGREEMENT BETWEEN COUNTY OF MONTEREY AND MCSI WATER SYSTEMS MANAGEMENT

THIS AMENDMENT NO. 1 to the Agreement between the County of Monterey, representing the Boronda County Sanitation District, a political subdivision of the State of California (hereinafter, "County BCSD") and MCSI Water Systems Management (hereinafter, "CONTRACTOR") is hereby entered into between the County and the CONTRACTOR (collectively, the County and CONTRACTOR are referred to as the "Parties").

WHEREAS, CONTRACTOR entered into an Agreement with County on July 30, 2013, (hereinafter, "Agreement") which provided for an initial term to commence with the signing of the Agreement through and including March 31, 2014 for an annual not to exceed amount of \$60,396 with the option to extend the AGREEMENT for four (4) additional one (1) year periods; and

WHEREAS, the Monterey County Board of Supervisors, acting as the Board of Directors of the Boronda County Sanitation District, authorized the Contracts/Purchasing Officer to execute the AGREEMENT and future amendments as stated in the Agreement; and

WHEREAS, the County BCSD desires that CONTRACTOR continue to provide services associated with the management, maintenance and operation of the San Jerardo Water System (hereinafter, "Project"); and

WHEREAS, additional time and funding are required to allow the CONTRACTOR to continue to provide services for the Project for an additional year; and

WHEREAS, the Parties wish to amend the Agreement to extend the term to March 31, 2015 and increase the amount by \$60,396 for a total amount not to exceed \$120,792 to allow CONTRACTOR to continue to provide tasks identified in the Agreement and as amended by this Amendment No. 1.

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

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

The initial term shall commence with the signing of the AGREEMENT on July 30, 2013 through and including March 31, 2015, with the option to extend the AGREEMENT for three (3) additional one (1) year periods.

2. All other terms and conditions of the Agreement remain unchanged and in full force.

Page 1 of 2

Amendment No. 1 to Agreement
MCS1 Water Systems Management
Boronda County Sanitation District – Zone 2, San Jerardo Water System
RMA – Public Works
Term: July 30, 2013 – March 31, 2015
Not to Exceed: \$120,792.00

IN WITNESS WHEREOF the Parties hereto have Agreement as of the day and year written below:	executed this Amendment No. 1 to the
COUNTY OF MONTEREY	CONTRACTOR*
By: Contracts/Purchasing Agent	MCSI Water Systems Management Contractor's Business Name
Date: 5'24'14 County of Monterey	By: (Signature of Chair, President or Vice President)
	Its: ROSS L. HATCH, Presiden (Print Name and Title)
	Date: 03-10-14
Approved as to Form and Legality Office of the County Counse!	By: (Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)
By: Deputy County Counsel	Its: Russell L. Hatch, CF. (Print Name and Title)
Date: $3 - 19 - 2014$	Date: March 10, 2014
Approved as to Fiscal Provisions By:	. ,
Auditor Controller Date: 3-4-1-4	
Approved as to Indemnity and Insurance Provisions	
By: Risk Management	
Date:	

This Amendment No. 1 shall be attached to the Agreement and incorporated therein as if

3.

fully set forth in the Agreement.

*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.

Page 2 of 2

ACORD

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/22/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER AND THE CERTIFICATE HOLDER

REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER. IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(les) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s). CONTACT Phone: 209-384-0727 Leap/Carpenter/Kemps Insurance Fax: 209-384-0401 (A/C, No, Ext): E-MAIL ADDRESS: FAX (AIC, No): 3187 Collins Dr. (95348) P.O. Box 1512 Merced, CA 95341-1512 Pedro Ponce INSURER(S) AFFORDING COVERAGE NAIC # INSURER A: Admiral Insurance Company 24856 INSURED M.C.S.I. Water Systems Mgmt INSURER B: Preferred Employers Ins Co 10900 Ross Hatch INSURER C: 11552 Hidden Hills Road INSURER D: Carmel Valley, CA 93924 INSURER E : INSURER F : CERTIFICATE NUMBER: REVISION NUMBER: COVERAGES THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES, LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS. ADDL SUBR POLICY EFF POLICY EXP (MM/DD/YYYY) (MM/DD/YYYY) TYPE OF INSURANCE LIMITS POLICY NUMBER GENERAL LIABILITY 1,000,000 EACH OCCURRENCE 05/26/2013 | 05/26/2014 DAMAGE TO RENTED PREMISES (Ea occurrence) X FEIECC1539900 50,000 X COMMERCIAL GENERAL LIABILITY \$ CLAIMS-MADE X OCCUR 5,000 1 MED EXP (Any one person) 1,000,000 PERSONAL & ADV INJURY 2,000,000 GENERAL AGGREGATE \$ 2,000,000 GEN'L AGGREGATE LIMIT APPLIES PER PRODUCTS: COMP/OP AGG Ş POLICY PRO: \$ MBINED SINGLE LIMI AUTOMOBILE LIABILITY (Ea accidenti **BODILY INJURY (Per person)** 4 ARY AUTO ALL OWNED AUTOS SCHEDULED BODILY INJURY (Per accident) 5 AUTOS NON-OWNED AUTOS PROPERTY DAMAGE HIRED AUTOS (Per accident 4 UMBRELLA LIAE EACH OCCURRENCE g OCCUR EXCESS LIAB CLAIMS-MADE AGGREGATE 4 DED RETENTION \$
WORKERS COMPENSATION X WC STATU-TORY LIMITS AND EMPLOYERS' LIABILITY WKN10844313 11/01/2013 11/01/2014 1.000.000 В ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? E.L. EACH ACCIDENT NIA EL DISEASE - EA EMPLOYEE \$ 1,000,000 (Mandatory In NH) (Mandatory in Min) If yes, describe under DESCRIPTION OF OPERATIONS below EL DISEASE - POLICY LIMIT | \$ 1,000,000 DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, If more space is required) The County of Monterey, Its Officers, Agents and Employees are named as Additional Insured with respects to the General Liability. Waiver of Subrogation & Primary/Non-Contributory Wording Endorsements all apply. 10 Day Notice applies for non-payment of premium. Order #839300 **CERTIFICATE HOLDER** CANCELLATION MONTE04 SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN County of Monterey ACCORDANCE WITH THE POLICY PROVISIONS. Contracts/Purchasing Dept. 168 W. Alisal Street: 3rd Fl. AUTHORIZED REPRESENTATIVE Salinas, CA 93901 Rosa Maria Juoma

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Santa Cruz, CA 95062 (831)429-9595					INSURERS AF	INSURERS AFFORDING COVERAGE			
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							PROPERTY DAMAGE (Per accident)	\$	
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COUNTY OF MONTEREY CONTRACTS/PURCHASING DEPARTMENT 168 WEST ALISAL ST, 3RD FLOOR SALINAS, CA 93906				SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR					
					REPRESENTATIV AUTHORIZED REF	-	N TELL		



Automatic Additional Insured - Owners, Lessees or Contractors

This endorsement, effective 5/26/2013 attaches to and forms a part of Policy Number FEI-ECC-15399-00. This endorsement changes the Policy. Please read it carefully.

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART CONTRACTORS POLLUTION LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:

Any person(s) or organization(s) whom the *Named Insured* agrees, in a written contract, to name as an additional insured. However, this status exists only for the project specified in that contract.

The person or organization shown in this Schedule is included as an insured, but only with respect to that person's or organization's vicarious liability arising out of your ongoing operations performed for that insured.



Automatic Primary and Non-Contributory Insurance Endorsement Designated Work Or Project(s)

This endorsement, effective 5/26/2013 attaches to and forms a part of Policy Number FEI-ECC-15399-00. This endorsement changes the Policy. Please read it carefully.

SCHEDULE

Name of Person or Organization:

Any person(s) or organization(s) whom the *Named Insured* agrees, in a written contract, to provide Primary and/or Non-contributory status of this insurance. However, this status exists only for the project specified in that contract.

In consideration of an additional premium of <u>SApplied</u> and notwithstanding anything contained in this policy to the contrary, it is hereby agreed that this policy shall be considered primary to any similar insurance held by third parties in respect to work performed by you under any written contractual agreement with such third party. It is further agreed that any other insurance which the person(s) or organization(s) named in the schedule may have is excess and non-contributory to this insurance.



Automatic Waiver of Subrogation Endorsement

This endorsement, effective 5/26/2013 attaches to and forms a part of Policy Number FEI-ECC-15399-00. This endorsement changes the Policy. Please read it carefully.

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART CONTRACTORS POLLUTION LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:

Any person(s) or organization(s) to whom the *Named Insured* agrees, in a written contract, to provide a waiver of subrogation. However, this status exists only for the project specified in that contract.

The Company waives any right of recovery it may have against the person or organization shown in the above Schedule because of payments the Company makes for injury or damage arising out of the *insured's* work done under a contract with that person or organization. The waiver applies only to the person or organization in the above Schedule.

Under no circumstances shall this endorsement act to extend the policy period, change the scope of coverage or increase the Aggregate Limits of Insurance shown in the Declarations.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

DESIGNATED INSURED

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM GARAGE COVERAGE FORM MOTOR CARRIER COVERAGE FORM TRUCKERS COVERAGE FORM

With respect to coverage provided by this endorsement, the provisions of the Coverage Form apply unless modified by this endorsement.

This endorsement identifies person(s) or organization(s) who are "insureds" under the Who Is An Insured Provision of the Coverage Form. This endorsement does not alter coverage provided in the Coverage Form.

This endorsement changes the policy effective on the inception date of the policy unless another date is indicated below.

Endorsement Effective: 03/18/2014	Countersigned By:
Named Insured: M C S I WATER SYSTEM MGT	(Authorized Representative)
	SCHEDULE
Name of Person(s) or Organization(s): COUN	TY OF MONTEREY SEE E0002
(If no entry appears above, information required as applicable to the endorsement.)	to complete this endorsement will be shown in the Declaration

Each person or organization shown in the Schedule is an "insured" for Liability Coverage, but only to the extent that person or organization qualifies as an "insured" under the Who Is An Insured Provision contained in **Section II** of the Coverage Form.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.



E0002

Effective Date: 11/22/13 Policy Number: 60484-15-33

Named Insured: M C S I WATER SYSTEM MGT

DESIGNATED INSURED

Name of person(s) or organization: COUNTY OF MONTERY ITS OFFICERS, AGENTS, AND EMPLOYEES Job: BCSD SAN JERARDO WATER SYSTEM CALLE EL ROSARIO AT OLD STAGE RD, SALINAS CA 93908

This endorsement modifies insurance provided under the following:

BUSINESS AUTO COVERAGE FORM GARAGE COVERAGE FORM MOTOR CARRIER COVERAGE FORM TRUCKERS COVERAGE FORM

The following language is added:

Primary/Non-Contributory Provision.

If the additional insured designated herein has an Other Insurance provision making its policy excess, and You (M C S I WATER SYSTEM MGT) agreed in a written contract or written agreement to provide the Additional Insured coverage on a Primary/Non-Contributory basis under the provision of the Additional Insured endorsement (CA20480299) attached hereto, then this policy shall be Primary/Non-Contributory to any insurance issued directly to the Additional Insured, provided such written contract or written agreement were executed prior to the issuance of the Additional Insured endorsement.



COUNTY OF MONTEREY PURCHASE ORDER

ORDER DATE 11-25-2014

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)
		EXTENDED PRICE	60,020.88
B RMA FINANCE 1 168 W ALISAL STREET L 2ND FLOOR T SALINAS CA 93901		UNIT PRICE SALES TAX	f, and is for a total amount .00 .00
	F.O.B.:		Inc. to provide operational and is valid thru March 31, 2018
S PUBLIC WRK H 168 W. ALISAL ST., P 2ND FLOOR T SALINAS CA 93901	DELIVERY DATE:	TEM DESCRIPTION	S Water Systems Management itions of the Agreement. This Positions of the Agreement. This Positions of the Agreement \$45873.24
Management and Construction Services Inc MCSI Water Systems Management 11552 Hidden Hills Rd Carmel Valley CA 93924	VENDOR NUMBER: CV000001577	UNIT COMMODITY CODE	PURCH DESC: This Purchase Order is issued to MCIS Water Systems Management inc. to provide operational and management services for the San Jerardo Water System per the terms and conditions of the Agreement. This PO is valid thru March 31, 2015, and is for a total amount no to exceed \$67,171.11 ********************************
Manageme MCSI Wati 11552 Hide Carmel Va	VENDOR NU	TEM QUANTITY	0.0
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All Vendors are required to review the Monterey County general terms and conditions which apply to all contracts, purchase orders, and other electronic procurements made with the County unless otherwise noted. Said terms and conditions can be found on the County website at http://www.co.monterey.ca.us/admin/terms_conditions.htm THE SHADED ROWS ARE FOR MONTEREY COUNTY DEPARTMENT USE ONLY

COUNTY BUYER INFORMATION

TELEPHONE:

60,020.88

ORDER TOTAL

EMAIL:

AUTHORIZED BY COUNTY OF MONTEREY DEPUTIZED PURCHASING AGENT

TAX EXEMPTION INFORMATION: FEDERAL EXCISE TAX EXEMPTION NUMBER 94-6000524

CONTRACTS/PURCHASING DIVISION 168 W.Alisal St. 3rd Floor, Salinas, CA 93901

Я PAGE NUMBER:

PRINT DATE: 12/08/14