

**AMENDMENT NO. 4
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC.**

THIS AMENDMENT NO. 5 to Professional Services Agreement No. A-12648 between the County of Monterey, a political subdivision of the State of California (“County”) and Wood Environment & Infrastructure Solutions, Inc. (“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’s predecessor in interest, Amec Foster Wheeler Environment & Infrastructure, Inc., entered into Professional Services Agreement No. A-12648 with the County on February 19, 2014 (“Agreement”) to provide a variety of tasks related to the analysis of alternatives, selection of a Preferred Option, preparation of pre-environmental design, environmental review, final engineering, right-of-way acquisition, and permitting to provide a new permanent long-term public water supply (“services”) for the San Lucas Water District Public Water Supply Replacement Project (“Project”) through September 30, 2016 with the option to extend the Agreement for two (2) additional one (1) year period(s) for an amount not to exceed \$440,000;

WHEREAS, Agreement expired pursuant to its terms on September 30, 2016;

WHEREAS, Agreement was renewed and amended by the Parties on November 17, 2016 (“Renewal and Amendment No. 1”) to renew the term retroactive to September 30, 2016 for approximately seventeen (17) additional months through February 19, 2018 with no increase in the not to exceed amount;

WHEREAS, Agreement was amended by the Parties on February 6, 2018 (“Amendment No. 2”) to extend the term for one (1) additional year through February 19, 2019 with no increase in the not to exceed amount;

WHEREAS, Agreement was amended by the Parties on March 14, 2019 (“Amendment No. 3”) to update the “Indemnification for Design Professional Services Claims” provision of the Agreement and to extend the term for two (2) additional years through February 19, 2021 with no increase in the not to exceed amount;

WHEREAS, the Agreement was amended by the Parties on February 11, 2021 (“Amendment No. 4”) to extend the term for one (1) year with no increase in the not to exceed amount;

WHEREAS, additional funding is pending from the State Water Resources Control Board (SWRCB) or other funding sources to complete the Project;

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Housing and Community Development
Term: February 19, 2014 – June 30, 2023
Not to Exceed: \$440,000

WHEREAS, additional time is necessary to receive anticipated funds from SWRCB or other funding sources and to allow the Parties to modify the scope and budget to allow CONTRACTOR to continue to provide services for completion of the Project;

WHEREAS, County has a continued need for services beyond the anticipated five (5) year Agreement term allowed per Request for Qualifications (RFQ) #10433; and

WHEREAS, the Parties wish to further amend the Agreement to extend the term for approximately one (1) year to June 30, 2023 with no associated dollar amount increase to allow CONTRACTOR to continue to provide services identified in the Agreement and as amended by this Amendment No. 5.

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

1. Amend the first sentence of Paragraph 3, "Term of Agreement," to read as follows:

The term of this Agreement is from February 19, 2014 to June 30, 2023, unless sooner terminated pursuant to the terms of this Agreement.
3. In all places within the Agreement, any reference to County's email address of RMA-Finance-AP@co.monterey.ca.us for invoicing is hereby replaced with 194-HCD-Finance@co.monterey.ca.us.
4. All other terms and conditions of the Agreement, including all Exhibits thereto, remain unchanged and in full force and effect.
5. This Amendment No. 5 and all previous amendments shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
6. The recitals to this Amendment No. 5 are incorporated into the Agreement and this Amendment No. 5.

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IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 5 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

CONTRACTOR*

By: DocuSigned by:
Debra R. Wilson
7B744337A0C188
Contract Purchasing Officer

Wood Environment & Infrastructure Solutions, Inc.
Contractor's Business Name

Date: 6/27/2022

By: DocuSigned by:
Kendall Sherrill
Kendall Sherrill
(Signature of Chair, President or Vice President)

Approved as to Form
Office of the County Counsel
Leslie J. Girard, County Counsel

Kendall H. Sherrill, SVP Finance
(Print Name and Title)

By: DocuSigned by:
Kelly L. Donlon
22D690CA05A640
Kelly L. Donlon
Assistant County Counsel

Date: 6/22/2022

Date: 6/22/2022

By: DocuSigned by:
Brad Knight
Brad Knight
(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)

Approved as to Fiscal Provisions

By: DocuSigned by:
Jennifer Forsyth
4E7E657876434A
Jennifer Forsyth
Auditor/Controller

Brad Knight, Secretary
(Print Name and Title)

Date: 6/22/2022

Date: 6/15/2022

*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managers. If CONTRACTOR is a partnership, the full legal 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 or Amendment to said Agreement.

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