

**AMENDMENT No. 3 TO PARTICIPATING AGREEMENT
COUNTY OF MONTEREY & Gila LLC, dba Municipal Services Bureau (MSB)**

THIS AMENDMENT No. 3 is made to the Participating Agreement by and between Gila LLC, dba Municipal Services Bureau (MSB), hereinafter “CONTRACTOR”, AND the County of Monterey, a political subdivision of the State of California, hereinafter referred to as “COUNTY” for collection services as per Master Agreement (MA-201307 Amendment No. 3) with the Judicial Council of California.

WHEREAS, the COUNTY and CONTRACTOR had previously entered into a Participating Agreement, with a term of May 1, 2014 through April 30, 2016.

WHEREAS, the COUNTY and CONTRACTOR extended the agreement per Amendment No.1, with a term of May 1, 2016 through April 30, 2017

WHEREAS, the COUNTY and CONTRACTOR extended the agreement per Amendment No.2, with a term of May 1, 2017 through April 30, 2018.

WHEREAS, the COUNTY and CONTRACTOR wish to acknowledge and incorporate the terms and conditions of the Judicial Council of California MA-201307 Amendment No. 3, dated October 23, 2017, attached hereto as Attachment A into the **Participating Agreement** whereby the term has been extended for one additional year, through December 31, 2018.

WHEREAS, the parties desire to amend that Participating Agreement to reflect the County’s exercise of the option to extend the term, on the same or similar terms, for the period of May 1, 2018 through December 31, 2018.

NOW THEREFORE, the County and CONTRACTOR hereby agree as follows:

1. The **PARTICIPATING AGREEMENT** between COUNTY and CONTRACTOR is hereby amended and extended to include the period of May 1, 2018 through December 31, 2018, unless sooner terminated pursuant to the terms of the **PARTICIPATING AGREEMENT** or extended in writing by parties.
2. The terms and conditions of the Judicial Council of California MA-201307 Amendment No. 3, dated October 23, 2017, attached hereto as Attachment A into the **PARTICIPATING AGREEMENT**.

3. If there is any conflict or inconsistency between the provisions of the PARTICIPATING AGREEMENT, or this AMENDMENT, the provisions of this AMENDMENT shall govern. A copy of the AMENDMENT shall be attached to the original PARTICIPATING AGREEMENT, as it may have been previously amended. Except as provided herein, all remaining terms, conditions, provisions, entitlements and obligations of the original PARTICIPATING AGREEMENT shall remain unchanged and unaffected by this AMENDMENT and shall continue in full force and effect.

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IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

Contracts/Purchasing Officer

Dated: _____

Approved as to Fiscal Provisions:

Deputy Auditor/Controller

Dated: _____

Approved as to Liability Provisions:

Risk Management

Dated: _____

Approved as to Form:

Deputy County Counsel

Dated: _____

CONTRACTOR

By: _____

Signature of Chair, President, or
Vice-President

Bruce Cummings, C.E.O.
Printed Name and Title

Dated: 2/1/18

By: _____

(Signature of Secretary, Asst. Secretary, CFO,
Treasurer or Asst. Treasurer) *

Barbara Fugler, Asst. Secretary
Printed Name and Title

Dated: 2/1/18

*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.