

Attachment C

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**AMENDMENT NO. 8
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
WALLACE GROUP, A CALIFORNIA CORPORATION**

THIS AMENDMENT NO. 8 to Professional Services Agreement No. A-12577 between the County of Monterey, a political subdivision of the State of California (hereinafter, “County”) and Wallace Group, a California Corporation (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 Professional Services Agreement No. A-12577 with County on February 1, 2012 (hereinafter, “Agreement”) to provide on-call County Service Area (CSA)/County Sanitation District (CSD) engineering services (hereinafter, “services”) through January 25, 2014 for an amount not to exceed \$100,000; and

WHEREAS, Agreement was amended by the Parties on October 7, 2013 (hereinafter, “Amendment No. 1”, including Exhibit B-1 – Federal Provisions) to replace Exhibit B – Federal Provisions, to extend the term for one (1) additional year through January 25, 2015 and to increase the amount by \$100,000 which resulted in a total not to exceed amount of \$200,000; and

WHEREAS, Agreement was amended by the Parties on September 8, 2014 (hereinafter, “Amendment No. 2”) to extend the term for one (1) additional year through January 25, 2016 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on October 30, 2015 (hereinafter, “Amendment No. 3”) to extend the term for one (1) additional year through January 25, 2017 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on January 30, 2017 (hereinafter, “Amendment No. 4”) to extend the term for one (1) additional year through January 25, 2018 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on November 20, 2017 (hereinafter, “Amendment No. 5”) to extend the term for one (1) additional year through January 25, 2019 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on January 31, 2019 (hereinafter, “Amendment No. 6”) to extend the term for one (1) additional year through January 25, 2020 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on December 20, 2019 (hereinafter, “Amendment No. 7”) to extend the term for approximately twelve (12) additional months through December 31, 2020 and increase the amount by \$75,000 which resulted in a total not to exceed amount of \$275,000; and

WHEREAS, the County has a continued need for services beyond the anticipated five (5) year Agreement term allowed per Request for Qualifications (RFQ) #10249; and

WHEREAS, additional time is necessary to allow CONTRACTOR to complete Sanitation Condition Assessments and Rate Studies for Pajaro CSD, Boronda CSD, and CSA 75 – Chualar Consolidated (hereinafter, “Projects”) while County staff prepare and process a new RFQ; and

WHEREAS, the Parties wish to further amend the Agreement as it relates to these Projects to extend the term for one (1) additional year to December 31, 2021 to allow CONTRACTOR to continue to provide services identified in the Agreement and as amended by this Amendment No. 8.

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 January 25, 2012 to December 31, 2021, unless sooner terminated pursuant to the terms of this Agreement.

2. In all places within the Agreement, any reference to County’s email address of RMA-Finance-AP-GP@co.monterey.ca.us for invoicing, is hereby replaced with RMA-Finance-AP@co.monterey.ca.us.
3. All other terms and conditions of the Agreement, including all Exhibits thereto, remain unchanged and in full force.
4. This Amendment No. 8 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. 8 are incorporated into the Agreement and this Amendment No. 8.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 8 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


Date: _____

Wallace Group, a California Corporation
Contractor's Business Name

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

Its: Bradford R. Brechwald, President, PE C41819
(Print Name and Title)


Date: October 28, 2020

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

Its: Thomas K. Zehnder, CFO, PE C72702
(Print Name and Title)

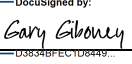
Date: October 28, 2020

**Approved as to Form
Office of the County Counsel-Risk Manager
Leslie J. Girard, County Counsel-Risk Manager**

By: 
Mary Grace Perry
Deputy County Counsel

Date: 11/3/2020

Approved as to Fiscal Provisions

By: 
Auditor/Controller

Date: 11/3/2020

**Approved as to Indemnity and Insurance Provisions
Office of the County Counsel-Risk Manager**

By: _____
Leslie J. Girard
County Counsel-Risk Manager

Date: _____

*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.