

Attachment C

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**AMENDMENT NO. 2
TO AGREEMENT
COUNTY OF MONTEREY
AND
N. REX AWALT CORPORATION DBA AQUA ENGINEERING**

THIS Amendment No. 2 (Amendment No. 2) is made to the Standard Agreement (Agreement) between N. Rex Awalt Corporation dba Aqua Engineering, ("CONTRACTOR"), and the County of Monterey, a political subdivision of the State of California, ("County") (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

WHEREAS, the Parties entered into a Standard Agreement on January 18, 2022, and Amendment No. 1 on August 28, 2024 to allow CONTRACTOR to provide on-call maintenance and repair services for water and sanitation sew systems, booster pump systems, backflow preventers, water quality testing and other utility system related services; and

WHEREAS, the County and CONTRACTOR wish to amend the Agreement to extend the term; and

NOW THEREFORE, the County and CONTRACTOR hereby agree to amend the Agreement in the following manner:

1. Section 3.0 "TERM OF AGREEMENT" shall be deleted in its entirety and replaced with the following:
The term of this Agreement is from January 5, 2022 to January 4, 2026, unless sooner terminated pursuant to the terms of this Agreement. This Agreement is of no force or effect until signed by both CONTRACTOR and County and with County signing last, and CONTRACTOR may not commence work before County signs this Agreement.
2. Except as provided herein, all remaining terms, conditions and provisions of the Agreement are unchanged and unaffected by this Amendment and shall continue in full force and effect as set forth in the Agreement.
3. A copy of this Amendment No. 2 shall be attached to the Agreement and incorporated as if fully set forth in the Agreement.

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IN WITNESS WHEREOF, the parties have executed the Amendment on the last day and year written below.

COUNTY OF MONTEREY

Engineering

DocuSigned by:
By: Debra R. Wilson
7B741937AA0B41B...
Debra Wilson
County Purchasing Officer

Date: 1/7/2025 | 2:56 PM PST

Approved as to Form
Office of the County Counsel
Susan K. Blitch, County Counsel

Signed by:
By: Michael J. Whilden
2C6F38174D4940D...
Michael J. Whilden
Deputy County Counsel

Date: 1/7/2025 | 2:07 PM PST

Approved as to Indemnity and Insurance Provisions
Office of the County Counsel Risk Management

By: _____
David Bolton, Risk Manager

Date: _____

Approved as to Fiscal Provisions
Rupa Shah, Auditor/Controller

DocuSigned by:
By: Jennifer Forsyth
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Its: Jennifer Forsyth Auditor-Controller Analyst II
(Insert Name; Title)

Date: 1/7/2025 | 2:35 PM PST

CONTRACTOR:

N. Rex Awalt Corporation dba Aqua

By*: Kirk Awalt
(Signature of Chair, President or Vice President)

Its: Kirk Awalt, Contractor/CFO
(Insert Name; Title)

Date: Dec. 27, 2024

By*: Christy Awalt/Owner/CEO/Secretary
(Signature of Secretary, Asst. Secretary, CFO,
Treasurer, or Asst. Treasurer)

Its: Christy Awalt
(Insert Name; Title)

Date: Dec. 30, 2024

*INSTRUCTIONS:

If COMPANY 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 COMPANY 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 COMPANY 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 COMPANY 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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