

# Attachment F

**AMENDMENT NO. 2  
TO STANDARD AGREEMENT  
BETWEEN COUNTY OF MONTEREY AND  
WESTERN OILFIELDS SUPPLY COMPANY DBA RAIN FOR RENT**

**THIS AMENDMENT NO. 2** to the Standard Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, “County”) and Western Oilfields Supply Company dba Rain for Rent (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 a Standard Agreement with County on April 28, 2016 (hereinafter, “Agreement”) to provide labor and/or equipment rental for common storm water pumping system elements required for storm water pumping projects as needed by the County of Monterey, Resource Management Agency (hereinafter, “services”) through September 30, 2017 for an amount not to exceed \$10,000; and

**WHEREAS**, Agreement was amended by the Parties on September 13, 2017 (hereinafter, “Amendment No. 1”, including Exhibit A-1, Revised Rate Sheet) to extend the term for three (3) additional years through September 30, 2020, to update the Rate Sheet effective October 1, 2017, and to increase the amount by \$30,000 which resulted in a total not to exceed amount of \$40,000; and

**WHEREAS**, the County has a continued need for services; and

**WHEREAS**, additional time is necessary to allow CONTRACTOR to continue to provide services required by the County; and

**WHEREAS**, the Parties wish to amend the Agreement to extend the term for seven (7) additional months to April 30, 2021 to allow CONTRACTOR to continue to provide services identified in the Agreement and as amended by this Amendment No. 2.

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

1. Amend the first sentence of Paragraph 3.01 under Section 3.0, “Term of Agreement”, to read as follows:

The term of this Agreement is from May 1, 2016 to April 30, 2021, unless sooner terminated pursuant to the terms of this Agreement.

Amendment No. 2 to Standard Agreement  
Western Oilfields Supply Company dba Rain for Rent  
Storm Water Labor/Equipment Rental  
RMA – Public Works, Parks and Facilities  
Term: May 1, 2016 – April 30, 2021  
Not to Exceed \$40,000

2. Amend the second and third paragraph of Section B.2, "Contractor's Billing Procedures", in Exhibit A – Scope of Services/Payment Provisions of the Agreement to read as follows:

Invoices under this Agreement shall be submitted monthly and promptly, and in accordance with Section 6.0, "Payment Conditions", of the Agreement. All invoices shall reference the Multi-Year Agreement (MYA) number (MYA 3000\*2166), services and associated Delivery Order number, and an original hardcopy shall be sent to the following address or via email to [RMA-Finance-AP@co.monterey.ca.us](mailto:RMA-Finance-AP@co.monterey.ca.us):

County of Monterey  
Resource Management Agency (RMA) – Finance Division  
1441 Schilling Place, South 2<sup>nd</sup> Floor  
Salinas, California 93901-4527

Any questions pertaining to invoices under this Agreement should be directed to the RMA Finance Division at (831) 755-4800 or via email to: [RMA-Finance-AP@co.monterey.ca.us](mailto:RMA-Finance-AP@co.monterey.ca.us).

3. All other terms and conditions of the Agreement remain unchanged and in full force.
4. This Amendment No. 2 and the previous Amendment No. 1 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
5. The recitals to this Amendment No. 2 are incorporated into the Agreement and this Amendment No. 2.

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IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

CONTRACTOR\*

By: Michael R. Derr  
367942E6F649429... Contracts/Purchasing Officer

Western Oilfields Supply Company  
dba Rain for Rent

Contractor's Business Name

Date: 9/28/2020

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

Its: Bob Frank, Executive Vice President  
(Print Name and Title)

Date: 9/23/2020

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

By: Maston N. Cunningham  
(Signature of Secretary, Asst. Secretary, CFO,  
Treasurer or Asst. Treasurer)

By: Mary Grace Perry  
C83342707AC641A...  
Mary Grace Perry  
Deputy County Counsel

Its: Maston Cunningham, CFO  
(Print Name and Title)

Date: 9/24/2020

Date: 9/23/2020

Approved as to Fiscal Provisions

By: Gary Giboney  
D3834BFEC1D8449... Auditor/Controller

Date: 9/24/2020

Approved as to Indemnity and Insurance Provisions  
Office of the County Counsel-Risk Manager  
Leslie J. Girard, County Counsel-Risk Manager

By: \_\_\_\_\_  
Risk Management

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.

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