

Before the Board of Supervisors in and for the County of Monterey, State of California

Agreement No. A-10766

- a. Approve Amendment No. 7 to Operations and Services Agreement No. A-10766 with the Pajaro/Sunny Mesa Community Services District to continue to provide tasks associated with operational and maintenance services for the wastewater collection system in the Pajaro County Sanitation District in the amount of \$168,000 for a total amount not to exceed \$1,086,000 and extend the term through February 9, 2013; and
b. Authorize the Chair of the Board to execute Amendment No. 7 to Operations and Services Agreement No. A-10766 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.....

Upon motion of Director Armenta, seconded by Director Salinas, and carried by those members present, the Board hereby acting as the Board of Directors of the Pajaro County Sanitation District the Board hereby;

- a. Approved Amendment No. 7 to Operations and Services Agreement No. A-10766 with the Pajaro/Sunny Mesa Community Services District to continue to provide tasks associated with operational and maintenance services for the wastewater collection system in the Pajaro County Sanitation District in the amount of \$168,000 for a total amount not to exceed \$1,086,000 and extend the term through February 9, 2013; and
b. Authorized the Chair of the Board to execute Amendment No. 7 to Operations and Services Agreement No. A-10766 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

PASSED AND ADOPTED on this 7th day of February, 2012, by the following vote, to-wit:

AYES: Directors Armenta, Supervisor Calcagno, Salinas, Potter and Parker
NOES: None
ABSENT: None

I, Gail T. Borkowski, Clerk of the Board of Directors of the Pajaro County Sanitation District, County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Directors duly made and entered in the minutes thereof of Minute Book 76 for the meeting on February 7, 2012.

Dated: February 9, 2012

Gail T. Borkowski, Clerk of the Board of Directors
Pajaro County Sanitation District,
County of Monterey, State of California

By [Signature]
Deputy

**AMENDMENT NO. 7 TO
OPERATIONS AND SERVICES AGREEMENT
BETWEEN PAJARO/SUNNY MESA COMMUNITY SERVICES DISTRICT AND
PAJARO COUNTY SANITATION DISTRICT**

THIS AMENDMENT NO. 7 to the Operations and Services Agreement between the Pajaro/Sunny Mesa Community Services District, a political subdivision of the State of California (hereinafter, "Community Services District"), and the Pajaro County Sanitation District (hereinafter, "County Sanitation District") is hereby entered into between the Community Services District and the County Sanitation District (collectively, the Community Services District and the County Sanitation District are referred to as the "Parties").

WHEREAS, County Sanitation District entered into an Operations and Services Agreement with County Sanitation District on January 9, 2007 (hereinafter, "Agreement"); and

WHEREAS, Agreement was amended by the Parties on February 12, 2008 (hereinafter, "Amendment No. 1"), December 17, 2008 (hereinafter, "Amendment No. 2"), January 6, 2010 (hereinafter, "Amendment No. 3"), February 3, 2010 (hereinafter, "Amendment No. 4"); December 17, 2010 (hereinafter, "Amendment No. 5"), and January 25, 2011 (hereinafter, "Amendment No. 6"); and

WHEREAS, operational and maintenance services for the wastewater collection system in the Pajaro County Sanitation District have not been completed and continuing work is necessary; and

WHEREAS, the Parties wish to further amend the Agreement to increase the amount by \$168,000.00 and extend the term to February 9, 2013 to continue to provide tasks identified in the Agreement.

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

1. Amend the first sentence of Paragraph 2, "Term", to read as follows:

The term of this Agreement shall commence on January 9, 2007 and shall end on February 9, 2013, unless sooner terminated by the Parties.

2. Amendment No. 7 to Agreement hereby increases the Agreement amount by \$168,000.00 for a total amount not to exceed \$1,086,000.00.
3. All other terms and conditions of the Agreement remain unchanged and in full force.
4. This Amendment No. 7 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.

Amendment No. 7 to Operations and Services Agreement
Pajaro/Sunny Mesa Community Services District
Operational and Maintenance Services for the
Wastewater Collection System in the Pajaro County Sanitation District
RMA – Department of Public Works
Term: January 9, 2007 - February 9, 2013
Not to Exceed: \$1,086,000.00

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 7 to the Agreement as of the day and year written below:

COUNTY OF MONTEREY

By: _____
Chair of the Board of Supervisors

Date: _____

COMMUNITY SERVICES DISTRICT

By: Don Rosa
Don Rosa, General Manager

Date: 1-13-12

**Approved as to Form and Legality
Office of the County Counsel**

By: [Signature]
Deputy County Counsel

Date: 1-24-2012

Approved as to Fiscal Provisions

By: [Signature]
Auditor/Controller

Date: 1-17-12

Approved as to Indemnity and Insurance Provisions

By: _____
Risk Management

Date: _____

Amendment No. 7 to Operations and Services Agreement
Pajaro/Sunny Mesa Community Services District
Operational and Maintenance Services for the
Wastewater Collection System in the Pajaro County Sanitation District
RMA – Department of Public Works
Term: January 9, 2007 - February 9, 2013
Not to Exceed: \$1,086,000.00