

**AMENDMENT #1 TO AGREEMENT BETWEEN
COUNTY OF MONTEREY & E.J. WARD, INC.**

THIS AMENDMENT is made to the AGREEMENT for a "Turn-Key" Fleet Management System by and between **E.J. WARD INC.**, hereinafter "CONTRACTOR", and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as "County".

WHEREAS, the County and CONTRACTOR entered the AGREEMENT effective December 3, 2013; and

WHEREAS, at the time the AGREEMENT was entered into, the Monterey County Board of Supervisors authorized the Contracts/Purchasing Officer to execute up to three AMENDMENTS to the AGREEMENT where the AMENDMENTS do not significantly change the scope of work or cause an increase in the AGREEMENT annual rates of more than fifteen percent (15%); and

* **WHEREAS**, the County inadvertently made a reference error in Section 4.0 Compensation and Payments of the Standard Agreement in that Section 4.6.2 of the AGREEMENT does not comport with Section 7.0 Proposal Package Requirements, Sub-Section 4, Pricing of the RFP, which stated that the County of Monterey would pay all applicable taxes; and

WHEREAS, the County did and does intend to pay applicable taxes on the selected proposal; and

WHEREAS, the amount of applicable taxes for the agreement is \$27,719.40; and

WHEREAS, the amount of additional expenditures associated with the agreement is \$39,780.60; and

WHEREAS, the amount of the amendment is well within the authority granted by the Board of Supervisors to the Contracts/Purchasing Officer; and

WHEREAS, the County and CONTRACTOR wish to amend the AGREEMENT to add the appropriate and allowable taxes to increase the total amount of the AGREEMENT due to the referenced errors

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

1. Section 4.2, "COMPENSATION AND PAYMENTS" shall be amended by removing, "*Total maximum compensation to be paid hereunder for the satisfactory accomplishment and completion of all tasks set forth above shall in no event exceed the sum of \$450,000.00.*" and replacing it with "*Total maximum compensation to be paid hereunder for the satisfactory accomplishment and completion of all tasks set forth above shall in no event exceed the sum of \$517,500.00.*"

