

Attachment H

**AMENDMENT NO. 3
TO AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
MCSI WATER SYSTEMS MANAGEMENT**

THIS AMENDMENT NO. 3 to the Agreement between the County of Monterey, , a political subdivision of the State of California, acting as the Board of Directors of the Boronda County Sanitation District (BCSD) (hereinafter, "County BCSD") and MCSI Water Systems Management (hereinafter, "CONTRACTOR") is hereby entered into between the County BCSD and the CONTRACTOR (collectively, the "Parties") as of the last date opposite the respective signatures below.

WHEREAS, CONTRACTOR entered into an Agreement with County BCSD on July 30, 2013, (hereinafter, "Agreement") which provided for an initial term to commence with the signing of the Agreement through and including March 31, 2014 with the option to extend the Agreement for four (4) additional one (1) year periods for an annual not to exceed amount of \$60,396 and for an amount not to exceed \$181,188 for the first three (3) years of the Agreement; and

WHEREAS, the Monterey County Board of Supervisors, acting as the Board of Directors of the BCSD, authorized the Contracts/Purchasing Officer to execute the Agreement and future amendments as stated in the Agreement; and

WHEREAS, Agreement was amended by the Parties on March 26, 2014 to extend the term for one (1) additional year through March 31, 2015 (hereinafter, "Amendment No. 1"); and

WHEREAS, Agreement was amended by the Parties on February 24, 2015 to extend the term for one (1) additional year through March 31, 2016 (hereinafter, "Amendment No. 2"); and

WHEREAS, the County BCSD desires that CONTRACTOR continue to provide services associated with the management, maintenance and operation of the San Jerardo Water System (hereinafter, "Project"); and

WHEREAS, additional time and funding are required to allow the CONTRACTOR to continue to provide services for the Project for an additional one (1) year period; and

WHEREAS, the Parties wish to further amend the Agreement to extend the term for one (1) additional year to March 31, 2017 and increase the amount by \$60,396 for a total amount not to exceed \$241,584 to allow CONTRACTOR to continue to provide tasks identified in the Agreement and as amended by this Amendment No. 3.

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

1. Amend the first sentence of Paragraph 3.1 of Section 3.0, "Term of Agreement", to read as follows:

The initial term shall commence with the signing of the Agreement on July 30, 2013 through and including March 31, 2017, with the option to extend the Agreement for one (1) additional one (1) year period.

2. Amend the first sentence of Paragraph 4.1.1 of Section 4.0, "Compensation and Payments", to read as follows:

This Agreement shall not exceed \$241,584 for the initial four (4) years of the Agreement.

3. Amend Section 5.1 of Paragraph 5.0, "Invoices and Purchase Orders", to read as follows:

Invoices for all services rendered under this Agreement shall be submitted monthly and promptly, and in accordance with Section 5.2 of the Agreement. An original hardcopy of each invoice shall be sent to the following:

Boronda County Sanitation District – San Jerardo
County of Monterey
Resource Management Agency (RMA) – Finance Division
168 West Alisal Street, 2nd Floor
Salinas, California 93901

Any questions pertaining to invoices under this Agreement shall be directed to the RMA – Finance Division at (831) 755-4800.

4. Amend the first sentence of Section 5.2 of Paragraph 5.0, "Invoices and Purchase Orders", to read as follows:

CONTRACTOR shall reference the Multi-Year Agreement number (#MYA 3000 *988) and associated Purchase Order number on all invoices submitted to County.

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

IN WITNESS WHEREOF the Parties hereto have executed this Amendment No. 3 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

By: 
Contracts/Purchasing Officer

Date: 01 APR 2016

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

By: 
Deputy County Counsel

Date: MARY GRACE PERRY
2-16-2016

Approved as to Fiscal Provisions

By: 
Auditor/Controller

Date: 2-16-16

Approved as to Indemnity and Insurance Provisions

By: _____
Risk Management

Date: _____

CONTRACTOR*


MCSI Water Systems Management

Contractor's Business Name

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

Its: RODOLPH HATCH, PRESIDENT
(Print Name and Title)

Date: 2/7/16

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

Its: RUSSELL L. HATCH, CFO
(Print Name and Title)

Date: 2/10/16

*INSTRUCTIONS: IF CONTRACTOR is a corporation, including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the 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.