

**RENEWAL AND AMENDMENT NO. 5 TO AGREEMENT BY AND
BETWEEN
COUNTY OF MONTEREY &
HINDERLITER DE LLAMAS & ASSOCIATES.**

THIS RENEWAL AND AMENDMENT NO. 5 is made to the PROFESSIONAL SERVICES AGREEMENT (“AGREEMENT”) for the provision of sales, use and transaction tax services by and between **Hinderliter de Llamas & Associates**, hereinafter “CONTRACTOR”, and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as “County”.

WHEREAS, the County of Monterey on behalf of the Auditor-Controller and Hinderliter de Llamas & Associates had previously entered into an Agreement for Services (hereinafter “Agreement”) on September 23, 2019 to provide Sales, Use and Transaction Tax auditing and analysis services, with a one year term and a total Agreement amount not to exceed \$75,000; and

WHEREAS, the Agreement was amended on February 11, 2020 to increase the not to exceed amount to \$192,881 to compensate for services rendered with respect to California Flats Solar Project owned by First Solar Electric Inc.; and

WHEREAS, Amendment No. 2 was entered into for one (1) additional year, revising the term of Agreement to July 1, 2019 through June 30, 2021 and increasing the not to exceed amount to \$253,996.46; and

WHEREAS, the Agreement expired on June 30, 2021; and

WHEREAS, this Agreement was amended via Amendment No. 3 on the same or similar terms, beginning July 1, 2021, extending the term for an additional one (1) year period (July 1, 2021 through June 30, 2022) for a revised full Agreement term of July 1, 2019 through June 30, 2022 with an increase of \$43,025.45 thereby increasing the not to exceed amount to \$297,021.91 to allow for services to continue with no change to scope; and

WHEREAS, the Agreement expired on June 30, 2022; and

WHEREAS, this Agreement was amended via Amendment No. 4 on the same or similar terms, beginning July 1, 2022, extending the term for an additional one (1) year period (July 1, 2022 through June 30, 2023) for a revised full Agreement term of July 1, 2019 through June 30, 2023 with an increase of \$15,908.63 thereby increasing the not to exceed amount to \$312,930.54 to allow for services to continue with no change to scope; and

WHEREAS, the Agreement expired on June 30, 2023; and

WHEREAS, the County and CONTRACTOR wish to renew and amend the Agreement on the same or similar terms, beginning July 1, 2023, extending the term for an additional one (1) year period (July 1, 2023 through June 30, 2024) for a revised full Agreement term of July 1, 2019 through June 30, 2024

with an increase of \$76,174 thereby increasing the not to exceed amount to \$389,105 to allow for services to continue with no change to scope.

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

1. The Agreement is hereby renewed and amended on the terms and conditions as set forth in the original Agreement incorporated herein by this reference, except as specifically set forth below

1. Paragraph 3.01, "TERM OF AGREEMENT", shall be amended by removing "The term of this Agreement is from July 1, 2019 to June 30, 2023, unless sooner terminated pursuant to the terms of this Agreement," and replacing it with "The term of this Agreement is from July 1, 2019 to June 30, 2024, unless sooner terminated pursuant to the terms of this Agreement".

2. Section 2., "PAYMENTS BY THE COUNTY" shall be amended by removing, "The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$312,930.54" and replacing it with "The total amount payable by County to CONTRACTOR under this AGREEMENT shall not exceed \$389,105".

2. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this Renewal and Amendment and shall continue in full force and effect as set forth in the AGREEMENT.

3. This Renewal and Amendment is effective July 1, 2023.

4. A copy of the Renewal and Amendment shall be attached to the original AGREEMENT dated September 23, 2019 and Amendments Nos. 1, 2, and 3, & 4.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

DocuSigned by:

Debra R. Wilson

Contracts/Purchasing Officer

Dated: 5/24/2023 | 11:00 AM PDT

DocuSigned by:

Burcu Mousa

Assistant Auditor-Controller

Dated: 5/24/2023 | 8:22 AM PDT

Approved as to Fiscal Provisions:

DocuSigned by:

Ma Mon

Deputy Auditor/Controller

Dated: 5/24/2023 | 9:43 AM PDT

Approved as to Form:

DocuSigned by:

Stacy Saetta

Deputy County Counsel

Dated: 5/23/2023 | 4:25 PM PDT

CONTRACTOR

DocuSigned by:

By: *Andrew Nickerson*

Signature of Chair, President, or Vice-President

Andrew Nickerson, President/CEO

Printed Name and Title

Dated: 5/22/2023 | 4:29:14 PM PDT

DocuSigned by:

By: *Richard Park*

(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)*

Richard Park, CFO

Printed Name and Title

Dated: 5/23/2023 | 9:15:02 AM PDT

*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.

**RENEWAL AND AMENDMENT NO. 4 TO AGREEMENT BY AND
BETWEEN
COUNTY OF MONTEREY &
HINDERLITER DE LLAMAS & ASSOCIATES.**

THIS RENEWAL AND AMENDMENT NO. 4 is made to the PROFESSIONAL SERVICES AGREEMENT (“AGREEMENT”) for the provision of sales, use and transaction tax services by and between **Hinderliter de Llamas & Associates**, hereinafter “CONTRACTOR”, and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as “County”.

WHEREAS, the County of Monterey on behalf of the Auditor-Controller and Hinderliter de Llamas & Associates had previously entered into an Agreement for Services (hereinafter “Agreement”) on September 23, 2019 to provide Sales, Use and Transaction Tax auditing and analysis services, with a one year term and a total Agreement amount not to exceed \$75,000; and

WHEREAS, the Agreement was amended on February 11, 2020 to increase the not to exceed amount to \$192,881 to compensate for services rendered with respect to California Flats Solar Project owned by First Solar Electric Inc.; and

WHEREAS, Amendment No. 2 was entered into for one (1) additional year, revising the term of Agreement to July 1, 2019 through June 30, 2021 and increasing the not to exceed amount to \$253,996.46; and

WHEREAS, the Agreement expired on June 30, 2021; and

WHEREAS, this Agreement was amended via Amendment No. 3 on the same or similar terms, beginning July 1, 2021, extending the term for an additional one (1) year period (July 1, 2021 through June 30, 2022) for a revised full Agreement term of July 1, 2019 through June 30, 2022 with an increase of \$43,025.45 thereby increasing the not to exceed amount to \$297,021.91 to allow for services to continue with no change to scope; and

WHEREAS, the Agreement expired on June 30, 2022; and

WHEREAS, the County and CONTRACTOR wish to renew and amend the Agreement on the same or similar terms, beginning July 1, 2022, extending the term for an additional one (1) year period (July 1, 2022 through June 30, 2023) for a revised full Agreement term of July 1, 2019 through June 30, 2023 with an increase of \$15,908.63 thereby increasing the not to exceed amount to \$312,930.54 to allow for services to continue with no change to scope.

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

1. The Agreement is hereby renewed and amended on the terms and conditions as set forth in the original Agreement incorporated herein by this reference, except as specifically set forth below

1. Paragraph 3.01, "TERM OF AGREEMENT", shall be amended by removing "The term of this Agreement is from July 1, 2019 to June 30, 2022, unless sooner terminated pursuant to the terms of this Agreement," and replacing it with "The term of this Agreement is from July 1, 2019 to June 30, 2023, unless sooner terminated pursuant to the terms of this Agreement".

2. Section 2., "PAYMENTS BY THE COUNTY" shall be amended by removing, "The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$297,021.91" and replacing it with "The total amount payable by County to CONTRACTOR under this AGREEMENT shall not exceed \$312,930.54".

2. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this Renewal and Amendment and shall continue in full force and effect as set forth in the AGREEMENT.

3. This Renewal and Amendment is effective July 1, 2022.

4. A copy of the Renewal and Amendment shall be attached to the original AGREEMENT dated September 23, 2019 and Amendments Nos. 1 and 2, & Renewal and Amendment No. 3.

This space left blank intentionally

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

DocuSigned by:

Debra R. Wilson

Contracts Purchasing Officer

Dated: 7/11/2022 | 9:05 AM PDT

DocuSigned by:

Burcu Mousa

Assistant Auditor-Controller

Dated: 7/6/2022 | 3:11 PM PDT

Approved as to Fiscal Provisions:

DocuSigned by:

Jennifer Forsyth

Deputy Auditor/Controller

Dated: 7/11/2022 | 8:48 AM PDT

Approved as to Liability Provisions:

Risk Management

Dated:

Approved as to Form:

DocuSigned by:

Stacy Saitta

Deputy County Counsel

Dated: 7/7/2022 | 11:52 AM PDT

CONTRACTOR

DocuSigned by:

By: Andrew Nickerson

Signature of Chair, President, or Vice-President

Andrew Nickerson, President
Printed Name and Title

Dated: 6/30/2022 | 7:15 PM PDT

DocuSigned by:

By: Richard Park, CFO

(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)*

Richard Park, CFO
Printed Name and Title

Dated: 7/6/2022 | 9:58 AM PDT

*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.



Monterey County Board of Supervisors

Board Order

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to:

Agreement No.: A-14510; Amendment No.: 4

a. Approve and authorize the Auditor-Controller to sign a Renewal and Amendment No. 4 to the Professional Services Agreement with Hinderliter, de Llamas & Associates, extending the Agreement 1 year, for a revised full term of July 1, 2019 to June 30, 2023, and adding \$15,908.63 for a revised total contract amount of \$312,930.54.

PASSED AND ADOPTED on this 26th day of July 2022, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Askew and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting July 26, 2022.

Dated: August 3, 2022

File ID: 22-709

Agenda Item No.: 48

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Emmanuel H. Santos, Deputy

**RENEWAL AND AMENDMENT NO. 3
TO THE SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
HINDERLITER DE LLAMAS & ASSOCIATES
FOR
AUDITING AND ANALYSIS SERVICES FOR SALES, USE AND TRANSACTION
TAXES**

This Renewal and Amendment No. 3 to the County of Monterey, Agreement for Services is made and entered into, by and between the County of Monterey, a political subdivision of the State of California (hereinafter "County") and Hinderliter de Llamas & Associates (hereinafter "CONTRACTOR"); (collectively, the County, ACO and CONTRACTOR are referred to as the "Parties").

RECITALS

WHEREAS, the County of Monterey on behalf of the Auditor-Controller and Hinderliter de Llamas & Associates had previously entered in to an Agreement on for Services (hereinafter "Agreement") on September 23, 2019 to provide Sales, Use and Transaction Tax auditing and analysis services with a one year term and a total Agreement amount not to exceed \$75,000; and

WHEREAS, the Agreement was amended on February 11, 2020 to increase the not to exceed amount to \$192,881 to compensate for services rendered with respect to California Flats Solar Project owned by First Solar Electric Inc.; and

WHEREAS, Amendment No. 2 was entered into for one (1) additional year, revising the term of Agreement to July 1, 2019 through June 30, 2021 and increasing the not to exceed amount to \$253,996.46; and

WHEREAS, the Agreement expired on June 30, 2021: and

WHEREAS, the Parties wish to renew and amend the Agreement on the same or similar terms, beginning July 1, 2021, extending the term for an additional one (1) year period (July 1, 2021 through June 30, 2022) for a revised full Agreement term of July 1, 2019 through June 30, 2022 with an increase of \$43,025.45 thereby increasing the not to exceed amount to \$297,021.91 to allow for services to continue with no change to scope.

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

The Agreement is hereby renewed and amended on the terms and conditions as set forth in the original Agreement incorporated herein by this reference, except as specifically set forth below

1. "TERM OF AGREEMENT" Section shall be amended to the following:

Renewal & Amendment No. 3 to Agreement
with Hinderliter de Llamas & Associates for
Auditing and Analysis services

“The term of this Agreement is from July 1, 2019 through June 30, 2022 unless sooner terminated pursuant to the terms of this Agreement”.

2. If there is conflict or inconsistency between the provisions of Agreement, or this Renewal and Amendment No. 3, the provisions of this Renewal and Amendment No. 3 shall govern.
3. This Renewal and Amendment is effective July 1, 2021.

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Renewal & Amendment No. 3 to Agreement
with Hinderliter de Llamas & Associates for
Auditing and Analysis services

IN WITNESS WHEREOF, the Parties hereby execute this Renewal and Amendment No. 3 as follows:

MONTEREY COUNTY

DocuSigned by:

5020CB565A1849D
Auditor-Controller

Dated: 9/1/2021 | 5:28 PM PDT

Approved as to Fiscal Provisions:

DocuSigned by:

D3831REFC1D8419
Deputy Auditor/Controller

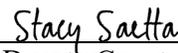
Dated: 8/30/2021 | 3:58 PM PDT

Approved as to Liability Provisions:

Risk Management

Dated:

Approved as to Form:

DocuSigned by:

990151E0544193
Deputy County Counsel

Dated: 8/30/2021 | 3:45 PM PDT

***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.

CONTRACTOR

DocuSigned by:

2A83925F4C11482
By: Andrew Nickerson
Signature of Chair, President, or Vice-President

Andrew Nickerson President/CEO
Printed Name and Title

Dated: 8/24/2021 | 7:43 AM PDT

DocuSigned by:

2A83925F4C11482
By: Richard Park
Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)*

Richard Park CFO
Printed Name and Title

Dated: 8/24/2021 | 8:48 AM PDT

AMENDMENT NO. 2 TO AGREEMENT BY AND BETWEEN COUNTY OF MONTEREY & HINDERLITER DE LLAMAS & ASSOCIATES

THIS AMENDMENT is made to the PROFESSIONAL SERVICES AGREEMENT (“AGREEMENT”) for the provision of sales, use and transaction tax services by and between **Hinderliter de Llamas & Associates**, 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 wish to amend the AGREEMENT to reflect the County’s exercise of the option to extend for one (1) additional year.

WHEREAS, the County and CONTRACTOR wish to amend the AGREEMENT to increase the total amount of the AGREEMENT by \$61,115.46.

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

1. **Paragraph 3.01, “TERM OF AGREEMENT”, shall be amended by removing** “The term of this Agreement is from **July 1, 2019 to June 30, 2020**, unless sooner terminated pursuant to the terms of this Agreement”, **and replacing it with** “The term of this Agreement is from **July 1, 2019 to June 30, 2021**, unless sooner terminated pursuant to the terms of this Agreement”.
2. Section 2., “PAYMENTS BY THE COUNTY” shall be amended by removing, “The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$192,881.00.” and replacing it with “The total amount payable by County to CONTRACTOR under this AGREEMENT shall not exceed \$253,996.46”
3. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this AMENDMENT No. 2 TO AGREEMENT and shall continue in full force and effect as set forth in the AGREEMENT.
4. A copy of this AMENDMENT NO. 2 shall be attached to the original AGREEMENT dated September 23, 2019 and subsequent AMENDMENT NO. 1.

This space left blank intentionally

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

DocuSigned by:


5020CB565A18490
Department Head

Dated: 6/24/2020 | 3:34 PM PDT

Approved as to Fiscal Provisions:
DocuSigned by:


811C33356389474...
Deputy Auditor/Controller

Dated: 6/16/2020 | 10:20 AM PDT

Approved as to Liability Provisions:

Risk Management

Dated: _____

Approved as to Form:
DocuSigned by:


C0ECE1B99F444A9...
Deputy County Counsel

Dated: 6/16/2020 | 10:10 AM PDT

CONTRACTOR

By: _____
Signature of Chair, President, or
Vice-President

Printed Name and Title

Dated: _____

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

Printed Name and Title

Dated: _____

*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.

AMENDMENT NO. 2 TO AGREEMENT BY AND BETWEEN COUNTY OF MONTEREY & HINDERLITER DE LLAMAS & ASSOCIATES

THIS AMENDMENT is made to the PROFESSIONAL SERVICES AGREEMENT (“AGREEMENT”) for the provision of sales, use and transaction tax services by and between **Hinderliter de Llamas & Associates**, 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 wish to amend the AGREEMENT to reflect the County’s exercise of the option to extend for one (1) additional year.

WHEREAS, the County and CONTRACTOR wish to amend the AGREEMENT to increase the total amount of the AGREEMENT by \$61,115.46.

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

1. **Paragraph 3.01, “TERM OF AGREEMENT”, shall be amended by removing** “The term of this Agreement is from **July 1, 2019 to June 30, 2020**, unless sooner terminated pursuant to the terms of this Agreement”, **and replacing it with** “The term of this Agreement is from **July 1, 2019 to June 30, 2021**, unless sooner terminated pursuant to the terms of this Agreement”.
2. Section 2., “PAYMENTS BY THE COUNTY” shall be amended by removing, “The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$192,881.00.” and replacing it with “The total amount payable by County to CONTRACTOR under this AGREEMENT shall not exceed \$253,996.46”
3. Except as provided herein, all remaining terms, conditions and provisions of the AGREEMENT are unchanged and unaffected by this AMENDMENT No. 2 TO AGREEMENT and shall continue in full force and effect as set forth in the AGREEMENT.
4. A copy of this AMENDMENT NO. 2 shall be attached to the original AGREEMENT dated September 23, 2019 and subsequent AMENDMENT NO. 1.

This space left blank intentionally

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY

CONTRACTOR

Contracts/Purchasing Officer

DocuSigned by:
By: Andrew Nickerson
Signature of Chair, President, or
Vice-President

Dated: _____

Andrew Nickerson, President
Printed Name and Title

Approved as to Fiscal Provisions:

Dated: 6/2/2020

Deputy Auditor/Controller

DocuSigned by:
By: Richard Park
(Signature of Secretary, Asst. Secretary, CFO,
Treasurer or Asst. Treasurer)*

Dated: _____

Richard Park, Chief Financial Officer
Printed Name and Title

Approved as to Liability Provisions:

Risk Management

Dated: 6/1/2020

Dated: _____

Approved as to Form:

Deputy County Counsel

Dated: _____

*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.



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066
www.co.monterey.ca.us

Board Order

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Mary L. Adams to:

Adopted Resolution No. 20-030 to:

- a. Authorize the Auditor-Controller to execute an Amendment No. 1 to an Agreement with Hinderliter de Llamas & Associates for the provision of sales, use and transaction tax analysis and audit services, adding \$117,881 for a total not to exceed amount of \$192,881, with no change to the term of July 1, 2019 to June 30, 2020; and
- b. Authorize the Auditor-Controller to amend the FY 2019-20 Adopted Budget by increasing appropriations by \$117,881 in Annual Audits (001-AUD002), financed by a decrease in appropriations of \$117,881 in Auditor-Controller (001-AUD001).

PASSED AND ADOPTED on this 11th day of February 2020, by the following roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams
NOES: None
ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting February 11, 2020.

Dated: February 11, 2020
File ID: 20-089
Agenda Item No.: 27

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Joel G. Pablo, Deputy

**Before the Board of Supervisors
County of Monterey, State of California**

Adopted Resolution No. 20-030

- a. Authorize the Auditor-Controller to execute an Amendment No. 1 to an Agreement with Hinderliter de Llamas & Associates for the provision of sales, use and transaction tax analysis and audit services, adding \$117,881 for a total not to exceed amount of \$192,881, with no change to the term of July 1, 2019 to June 30, 2020; and)
- b. Authorize the Auditor-Controller to amend the FY 2019-20 Adopted Budget by increasing appropriations by \$117,881 in Annual Audits (001-AUD002), financed by a decrease in appropriations of \$117,881 in Auditor-Controller (001-AUD001) (4/5 vote).....)

WHEREAS, pursuant to the AGREEMENT, CONTRACTOR provided tax analysis and audit services to ensure the County receives its proper share of sales and use tax revenues generated; and

WHEREAS, pursuant to the AGREEMENT, County pays CONTRACTOR specified remuneration for CONTRACTOR’s services; and

WHEREAS, the County and CONTRACTOR wish to amend the AGREEMENT to increase the maximum liability of the AGREEMENT by \$117,881 to compensate for services rendered by CONTRACTOR due to the increase in new and recovered sales and use tax revenues generated from the California Flats Solar Project owned by First Solar Electric Inc., for a total not to exceed amount of \$192,881.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Monterey as follows:

- 1. Authorize the Auditor-Controller to execute an Amendment No. 1 to an Agreement with Hinderliter de Llamas & Associates for the provision of sales, use and transaction tax analysis and audit services, adding \$117,881 for a total not to exceed amount of \$192,881, with no change to the term of July 1, 2019 to June 30, 2020; and
- 2. Authorize the Auditor-Controller to amend the FY 2019-20 Adopted Budget by increasing appropriations by \$117,881 in Annual Audits (001-AUD002), financed by a decrease in appropriations of \$117,881 in Auditor-Controller (001-AUD001) (4/5 vote)

PASSED AND ADOPTED on this 11th day of February 2020, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

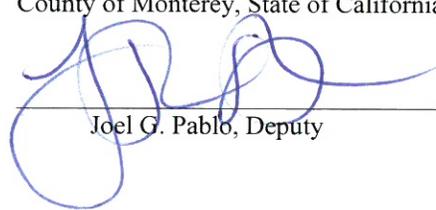
NOES: None

ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting February 11, 2020.

Dated: February 11, 2020
File ID: 20-089
Agenda Item No.: 27

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California



Joel G. Pablo, Deputy

**AMENDMENT #1 TO PROFESSIONAL SERVICES AGREEMENT
COUNTY OF MONTEREY & HINDERLITER DE LLAMAS & ASSOCIATES**

THIS AMENDMENT is made to the AGREEMENT, effective July 1, 2019, for sales, use and transaction tax analysis, audit services, and support by and between **Hinderliter de Llamas & Associates**, hereinafter “CONTRACTOR”, and the County of Monterey, a political subdivision of the State of California, hereinafter referred to as “County.”

WHEREAS, pursuant to the AGREEMENT, CONTRACTOR provided tax analysis and audit services to ensure the County receives its proper share of sales and use tax revenues generated; and

WHEREAS, pursuant to the AGREEMENT, County pays CONTRACTOR specified remuneration for CONTRACTOR’s services; and

WHEREAS, the County and CONTRACTOR wish to amend the AGREEMENT to increase the maximum liability of the AGREEMENT by \$117,881 to compensate for services rendered by CONTRACTOR due to the increase in new and recovered sales and use tax revenues generated from the California Flats Solar Project owned by First Solar Electric Inc., for a total not to exceed amount of \$192,881.

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

1. Section 2.0, PAYMENT PROVISIONS, shall be deleted and restated in its entirety to read as follows:

“2.0. PAYMENT PROVISIONS.

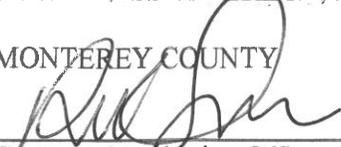
County shall pay the CONTRACTOR in accordance with the payment provisions set forth in Exhibit A, subject to the limitations set forth in this Agreement. The total amount payable by County to CONTRACTOR under this Agreement shall not exceed \$192,881.”

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 the AMENDMENT shall be attached to the original AGREEMENT.

This space left blank intentionally

IN WITNESS WHEREOF, the parties have executed this AMENDMENT on the day and year written below.

MONTEREY COUNTY


Contracts/Purchasing Officer
~~Auditor - Controller~~

Dated: 2/21/2020

Approved as to Fiscal Provisions:


Deputy Auditor/Controller

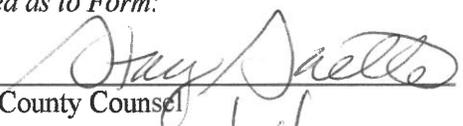
Dated: 2/14/2020

Approved as to Liability Provisions:

Risk Management

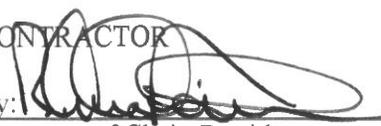
Dated: _____

Approved as to Form:


Deputy County Counsel

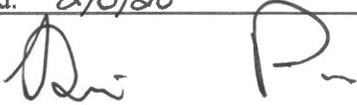
Dated: 2/14/20

CONTRACTOR

By: 
Signature of Chair, President, or
Vice-President

Andrew Nickerson, President
Printed Name and Title

Dated: 2/3/20

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

Richard Park, Chief Financial Officer
Printed Name and Title

Dated: 2/3/20

*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.



Monterey County Board of Supervisors

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Order

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Luis A. Alejo to:

Agreement No. A-14510

- a. Approve and authorize the Auditor-Controller to execute an Agreement with Hinderliter de Llamas & Associates for sales, use and transaction tax related services for an initial term of July 1, 2019 to June 30, 2020 and a not to exceed amount of \$75,000; and
- b. Approve and authorize the Auditor-Controller to execute three (3) future Fiscal Year amendments that do not exceed a five percent (5%) increase in set annual cost and do not significantly alter the scope of services; and
- c. This Agreement takes the aggregate amount for this Vendor over \$100,000.

PASSED AND ADOPTED on this 17th day of September 2019, by the following vote, to wit:

AYES: Supervisors Alejo, Lopez, Phillips, Parker and Adams
 NOES: None
 ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting September 17, 2019.

Dated: September 23, 2019
 File ID: 19-0693
 Agenda Item No. 29

Valerie Ralph, Clerk of the Board of Supervisors
 County of Monterey, State of California



Julian Lorenzana, Deputy