

Attachment B

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Monterey County Board of Supervisors

Board Order

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

Agreement No.: A-13441

Upon motion of Supervisor Alejo, seconded by Supervisor Phillips and carried by those members present, the Board of Supervisors hereby:

- a. Approved Amendment No. 3 to the Standard Agreement with A & B Fire Protection and Safety, Inc. to continue to provide services associated with annual inspections and testing of fire sprinkler suppression systems, and on-call maintenance services and repairs for County owned buildings and facilities, and to increase the not to exceed amount of \$87,325 by \$92,675 for a total amount not to exceed \$180,000, and extend the expiration date from March 1, 2017 for one (1) additional year through March 1, 2018, for a revised term from December 1, 2014 to March 1, 2018; and
- b. Authorized the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 3 to the Standard Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement.

PASSED AND ADOPTED on this 7th day of February 2017, by the following vote, to wit:

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

NOES: None

ABSENT: None

I, Gail T. Borkowski, 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 79 for the meeting on February 7, 2017.

Dated: February 14, 2017
File ID: 17-0099

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By

Deputy

**AMENDMENT NO. 3
TO STANDARD AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
A & B FIRE PROTECTION AND SAFETY, INC.**

THIS AMENDMENT NO. 3 to the Standard Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and A & B Fire Protection and Safety, Inc. (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 December 17, 2014 (hereinafter, "Agreement") to provide annual inspections and testing of fire sprinkler suppression systems and on-call maintenance services and repairs for County owned buildings and facilities (hereinafter, "services") through December 1, 2015 for an amount not to exceed \$37,325; and

WHEREAS, Agreement was amended by the Parties on December 8, 2015 (hereinafter, "Amendment No. 1") to extend the term for one (1) additional year through December 1, 2016 and to increase the Agreement's amount by \$50,000 which resulted in a total not to exceed amount of \$87,325; and

WHEREAS, Agreement was amended by the Parties on November 1, 2016 (hereinafter, "Amendment No. 2") to extend the term for three (3) additional months through March 1, 2017 with no associated dollar amount increase; and

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

WHEREAS, additional time and funding are necessary; and

WHEREAS, the Parties agree that Exhibit A – Scope of Services/Payment Provisions of Agreement is not intended to provide a complete list of County facilities at which the CONTRACTOR provides services; and

WHEREAS, the County has identified three (3) additional facilities that need annual inspections and testing of fire sprinkler suppression systems at 1441, 1488 and 1494 Schilling Place; and

WHEREAS, the Parties agree that services will be provided at all three (3) County Schilling Place facilities as well as other County facilities as needed; and

WHEREAS, the Parties wish to further amend the Agreement to extend the term for one (1) year to March 1, 2018 and to increase the amount of the Agreement by \$92,675 for a total not to exceed amount of \$180,000 to allow CONTRACTOR to continue to provide tasks identified in the Agreement and as amended by this Amendment No. 3.

Amendment No. 3 to Standard Agreement
A & B Fire Protection and Safety, Inc.
Fire Sprinkler Suppression Systems
RMA – Public Works - Facilities
Term: December 1, 2014 – March 1, 2018
Not to Exceed: \$180,000

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

1. Amend the second sentence of Section 2.01 under Paragraph 2.0, "Payment Provisions", to read as follows:

The total amount payable by County to CONTRACTOR under this Agreement is not to exceed the sum of \$ 180,000.

2. Amend the first sentence of Section 3.01 under Paragraph 3.0, "Term of Agreement", to read as follows:

The term of this Agreement is from December 1, 2014 to March 1, 2018, unless sooner terminated pursuant to the terms of this Agreement.

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

Amendment No. 3 to Standard Agreement
A & B Fire Protection and Safety, Inc.
Fire Sprinkler Suppression Systems
RMA – Public Works - Facilities
Term: December 1, 2014 – March 1, 2018
Not to Exceed: \$180,000

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: [Signature]
Contracts/Purchasing Officer

Date: 2-23-17

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

By: [Signature]
Mary Grace Perry,
Deputy County Counsel

Date: 11-22-16

Approved as to Fiscal Provisions

By: [Signature]
Auditor/Controller

Date: 11-22-16

Approved as to Indemnity and Insurance Provisions

By: _____
Risk Management

Date: _____

*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*

A & B Fire Protection and Safety, Inc.
Contractor's Business Name

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

Its: Kevin DeBelle V.P.
(Print Name and Title)

Date: 11-15-16

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

Its: Todd Picco
President / Treasurer
(Print Name and Title)

Date: 11/15/16

Amendment No. 3 to Standard Agreement
A & B Fire Protection and Safety, Inc.
Fire Sprinkler Suppression Systems
RMA – Public Works - Facilities
Term: December 1, 2014 – March 1, 2018
Not to Exceed: \$180,000