

**AMENDMENT NO. 3 TO AGREEMENT
BY & BETWEEN
COUNTY OF MONTEREY
&
BAGLEY ENTERPRISES, INC.**

THIS Amendment No. 3 is made to the Agreement by and between BAGLEY ENTERPRISES, INC. ("CONTRACTOR"), and the County of Monterey, a political subdivision of the State of California ("County").

WHEREAS, County and CONTRACTOR entered into an Agreement with a term of July 1, 2013 through July 30, 2016 for an amount not to exceed \$75,000 for the provisions of quarterly site inspection services, miscellaneous repairs of used oil and filter collection equipment; and

WHEREAS, on May 16, 2016 County and CONTRACTOR amended the Agreement via Amendment No. 1 to extend the Agreement term through June 30, 2017 and add \$20,000 for an Agreement amount not to exceed \$95,000; and

WHEREAS, on June 14, 2017 County and CONTRACTOR amended the Agreement via Amendment No. 2 to extend the Agreement term through June 30, 2019; and

WHEREAS, County and CONTRACTOR wish to amend the Agreement via Amendment No. 3 to increase the amount of the Agreement by \$30,000 for the services to be provided for a total amount not to exceed \$125,000.

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

1. Section 2.01, "PAYMENT PROVISION", is amended to read as follows: 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 the sum of **\$125,000**.
2. Except as provided herein, all remaining terms, conditions and provisions of the Agreement are unchanged and unaffected by this Amendment No. 3 and shall continue in full force and effect.
3. A copy of this Amendment No. 3 shall be attached to the Agreement and shall be incorporated therein as if fully set forth in the Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 3 as of the date set forth below their respective signatures.

COUNTY OF MONTEREY

By: _____
Contracts/Purchasing Officer

Date: _____

By: _____
Department Head (if applicable)

Date: _____

Approved as to Form

By: _____
Deputy County Counsel

Date: _____

Approved as to Fiscal Provisions

By: _____
Auditor/Controller

Date: _____

Approved as to Liability Provisions

By: _____
Risk Management

Date: _____

CONTRACTOR

ACCELA, INC

By: _____
(Signature of Chair, President, or
Vice-President)*

Date: _____
Name and Title

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

Date: _____
Name and Title

*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managing members. If CONTRACTOR is a partnership, the full legal 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 or Amendment to said Agreement.

