

AMENDMENT #1 TO AGREEMENT BY AND BETWEEN MONTEREY COUNTY WATER RESOURCES AGENCY & COWI NORTH AMERICA, INC.

THIS AMENDMENT is made to the PROFESSIONAL SERVICES AGREEMENT (“Agreement”) for the provision of TERM OF AGREEMENT by and between **COWI NORTH AMERICA, INC.**, hereinafter “CONTRACTOR”, and the Monterey County Water Resources Agency, a political subdivision of the State of California, hereinafter referred to as “Agency”.

WHEREAS, the Agency and CONTRACTOR wish to amend the Agreement to reflect the Agency’s right to exercise the option to extend the Agreement for seventeen (17) months.

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

1. Paragraph 2, “Term of the Agreement”, shall be amended to read as follows:

The term of this Agreement shall begin upon execution of this Agreement by CONTRACTOR and Agency. Subject to the procurement process of the Agency, available budget and approval of the Monterey County Water Resources Board of Supervisors, it is the intention of the parties to contract for services in phases. This Agreement shall expire on March 31, 2021, unless earlier terminated as provided herein. Subject to such procurement processes of the Agency and approval of the Monterey County Water Resources Agency Board of Supervisors, the parties may either amend this Agreement or enter into subsequent agreements concerning the Interlake Tunnel Project. The parties contemplate that future services may be provided and compensated under future phases, under this or future agreements.

The Agency, with the concurrence of the Board of Supervisors, may extend the term of this Agreement as necessary to accommodate possible delays that may be encountered in completing the process necessary to prepare studies and documents require by this Agreement. In the event the Agency elects to extend the term of this Agreement, all work shall be completed on or before the extended termination date.

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 this AMENDMENT shall be attached to the original Agreement dated December 18, 2018.

IN WITNESS WHEREOF, the parties have executed this AMENDMENT No. 1 on the day and year written below.

MONTEREY COUNTY WATER
RESOURCES AGENCY

CONTRACTOR

General Manager

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

Dated:

Printed Name and Title

Approved as to Fiscal Provisions:

Dated:

Deputy Auditor/Controller

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

Dated:

Approved as to Liability Provisions:

Printed Name and Title

Risk Management

Dated:

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.