

# Attachment J

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**AMENDMENT NO. 1  
TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN COUNTY OF MONTEREY AND  
BIGGS CARDOSA ASSOCIATES, INC.**

**THIS AMENDMENT NO. 1** to the Professional Services Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and Biggs Cardosa Associates, Inc. (hereinafter, "CONTRACTOR") is hereby entered into between the County and the CONTRACTOR (collectively the "parties").

**WHEREAS**, CONTRACTOR entered into a Professional Services Agreement with County on July 22, 2009 (hereinafter, "Agreement"); and

**WHEREAS**, the final design of the project has not been completed and continuing work is necessary due to delay in obtaining right of entry from property owners and easement holders that would allow for commencement of environmental studies; and

**WHEREAS**, the CONTRACTOR has continuously rendered services relating to the project, and as a result of circumstances beyond the control of the CONTRACTOR, additional time is needed to complete preliminary engineering and reports, and final design of the Nacimiento Lake Drive Bridge Replacement Project; and

**WHEREAS**, the parties wish to further amend the Agreement to extend the term to December 31, 2012 with no associated dollar amount increase to continue to provide tasks associated with project management, preliminary engineering and reports, and final design of the Nacimiento Lake Drive Bridge Replacement Project at San Antonio River, County No. 449.

**NOW, THEREFORE**, the parties agree to further amend the Agreement as follows:

1. Amend the first sentence of Paragraph 3, "Term of Agreement", to read as follows:  
  
The term of this Agreement is from February 9, 2009 to December 31, 2012, unless sooner terminated pursuant to the terms of this Agreement.
2. The timeline referenced in the Agreement, Exhibit A – Scope of Services/Payment Provisions, is hereby amended to extend through December 31, 2012, to conform to the amended term of the Agreement.
3. All other terms and conditions of the Agreement remain unchanged and in full force.
4. This Amendment No. 1 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.

IN WITNESS WHEREOF the parties hereto have executed this Amendment No. 1 to the Professional Services Agreement as of the day and year written below:

**COUNTY OF MONTEREY**

By: [Signature]  
Contracts/Purchasing Officer

Date: 12-27-10

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

By: Cynthia L. Olson  
Deputy County Counsel

Date: 12-22-10

**Approved as to Fiscal Provisions**

By: [Signature]  
Auditor/Controller

Date: 12-22-10

**Approved as to Indemnity and Insurance Provisions**

By: \_\_\_\_\_  
Risk Management

Date: \_\_\_\_\_

**CONTRACTOR**

Biggs Cardosa Associates, Inc.  
Contractor Business Name\*

By: [Signature]

Its: PRESIDENT  
(Signature of Chair, President, or Vice-President)

Date: 12/20/10

By: Mark A Cardosa

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

Date: 12/20/10

ENTERED  
DEC 27 2010  
CCC

\*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.