

Bender Rosenthal, Inc.

FIRST AMENDMENT TO AGREEMENT FOR SERVICES #461-S1711

THIS FIRST AMENDMENT to that Agreement for Services #461-S1711 made and entered into by and between the County of El Dorado, a political subdivision of the State of California (hereinafter referred to as "COUNTY"), and Bender Rosenthal, Inc., a corporation duly qualified to conduct business in the State of California, whose principal place of business is 2825 Watt Avenue, Suite 200, Sacramento, California 95821, (hereinafter referred to as "CONSULTANT");

RECITALS

WHEREAS, CONSULTANT has been engaged by COUNTY to provide as-needed right of way services for the Department of Transportation pursuant to Agreement for Services #461-S1711, dated May 9, 2017, incorporated herein and made by reference a part hereof (hereinafter referred to as "Agreement");

WHEREAS, the parties hereto desire to amend the Agreement to extend the expiration date of May 8, 2020 for one (1) additional year, amending **ARTICLE IV, Performance Period**;

WHEREAS, the parties hereto desire to amend the Agreement to update County's notice recipients and titles and Consultant's address and recipient, amending **ARTICLE XXVIII, Notice to Parties**;

WHEREAS, the parties hereto desire to amend the Agreement to update County's Contract Administrator, amending **ARTICLE LVII, Contract Administrator**;

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants hereinafter contained, COUNTY and CONSULTANT mutually agree to amend the terms of the Agreement in this First Amendment to Agreement on the following terms and conditions:

- I. All references to Community Development Agency, Transportation Division throughout the Agreement shall read Department of Transportation.
- II. All references to Community Development Agency, Administration and Finance Division throughout the Agreement shall read Chief Administrative Office.
- III. **ARTICLE IV, Performance Period, Section A**, of the Article is amended in its entirety to read as follows:
 - A. This Agreement shall go into effect upon execution, contingent upon approval by COUNTY, and CONSULTANT shall commence work after notification to proceed by COUNTY's Contract Administrator. The Agreement shall end on

May 8, 2021, as amended, unless extended by contract amendment.

- IV. ARTICLE XXVIII, Notice to Parties**, of the Agreement is amended in its entirety to read as follows:

ARTICLE XXVIII

Notice to Parties: All notices to be given by the parties hereto shall be in writing and served by depositing same in the United States Post Office, postage prepaid and return receipt requested. Notices to COUNTY shall be in duplicate and addressed as follows:

To COUNTY:

County of El Dorado
Department of Transportation
2850 Fairlane Court
Placerville, California 95667

Attn.: Rafael Martinez
Director

With a copy to:

County of El Dorado
Chief Administrative Office
2850 Fairlane Court
Placerville, California 95667

Attn.: Michele Weimer
Procurement and Contracts
Manager

or to such other location as COUNTY directs.

Notices to CONSULTANT shall be addressed as follows:

Bender Rosenthal, Inc.
2825 Watt Avenue, Suite 200
Sacramento, California 95821

Attn.: David Wraa, President

or to such other location as CONSULTANT directs.

- V. ARTICLE LVII, Contract Administrator**, of the Agreement is amended in its entirety to read as follows:

ARTICLE LVII

Contract Administrator: The COUNTY Officer or employee with the responsibility for administering this Agreement is Rafael Martinez, Director, Department of Transportation, or successor.

Except as herein amended, all other parts and sections of Agreement for Services #461-S1711 shall remain unchanged and in full force and effect.

Requesting Contract Administrator and Department Concurrence:

By: 
Rafael Martinez
Director
Department of Transportation

Dated: 5/13/2020

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement for Services #461-S1711 on the dates indicated below.

-- COUNTY OF EL DORADO --

By: 

Dated: 5/15/20

Board of Supervisors
"COUNTY"

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: 
Deputy Clerk

Dated: 5/15/20

-- BENDER ROSENTHAL, INC. --

By: 
David Wraa
President/Treasurer
"CONSULTANT"

Dated: 5/11/2020

By: 
Renee Baur
Executive Vice President

Dated: 5/11/2020