

O'CONNELL RESEARCH, INC

SECOND AMENDMENT TO AGREEMENT FOR SERVICES #6304

THIS SECOND AMENDMENT to that Agreement for Services #6304, 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 O'Connell Research, Inc, a corporation duly qualified to conduct business in the State of California, whose principal place of business is 1600 Dwight Way, Berkeley CA 94703 (hereinafter referred to as "Consultant");

RECITALS

WHEREAS, Consultant has been engaged by County to provide Research and Data Collection/Analytics, in accordance with Agreement for Services #6304, dated April 18, 2022; and its Amendment I, dated December 13, 2022; incorporated herein and made by reference a part hereof (hereinafter referred to as "Agreement");

WHEREAS, the parties hereto desire to amend the Agreement to increase the not-to-exceed amount of the Agreement, hereby amending **ARTICLE III – Compensation for Services**;

WHEREAS, the parties hereto desire to amend the Agreement to add verbiage and an Exhibit pertaining to SB 1439, the Levine Act, which was passed by the voters and goes into effect on January 1, 2023; hereby amending **ARTICLE XXI – Conflict of Interest**;

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 Second Amendment to Agreement #6304 on the following terms and conditions:

I. ARTICLE III, Compensation for Services, Paragraph Three is amended to read as follows:

Total amount of this Agreement shall not exceed \$217,224.00, inclusive of all costs, taxes, and expenses.

II. ARTICLE XXI, Conflict of Interest, is amended to add Paragraph Four as follows:

Pursuant to Government Code section 84308 (SB 1439, the Levine Act), Consultant shall complete and sign the attached Exhibit B, marked "California Levine Act Statement," incorporated herein and made by reference a part hereof, regarding campaign contributions by Consultant, if any, to any officer of County.

Except as herein amended, all other parts and sections of that Agreement #6304 shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to Agreement for Services #6304 on the dates indicated below.

-- COUNTY OF EL DORADO --

Dated: 2-21-23

By: Wendy Thomas
Chair
Board of Supervisors
"County"

ATTEST:
Kim Dawson
Clerk of the Board of Supervisors

By: Kyle Kuper
Deputy Clerk

Dated: 2-21-23

-- CONSULTANT --

O'Connell Research, Inc
1600 Dwight Way
Berkeley, CA 94703

By: Kevin O'Connell
Kevin O'Connell
Chief Executive Officer/Secretary

Dated: 1/6/2023

O'Connell Research, Inc

Exhibit B

California Levine Act Statement

California Levine Act Statement

California Government Code Section 84308, commonly referred to as the "Levine Act," prohibits any Member of the Board of Supervisor(s) of El Dorado County from participating in any action related to a contract if he or she receives any political contributions totaling more than two hundred and fifty dollars (\$250) within the previous twelve (12) months, and for three (3) months following the date a final decision concerning the contract has been made, from the person or company awarded the contract. The Levine Act also requires disclose of such contribution by a party to be awarded a specific contract.

A list of El Dorado County Board Members can be found at <https://www.edcgov.us/Government/BOS>. Proposers are responsible for accessing this link to review the names prior to answering the following questions.

Have you or your company, or any agent on behalf of you or your company, made any political contributions of more than \$250 to an Officer of the County of El Dorado in the 12 months preceding the date of the submission of your proposals or the anticipated date of any Board action related to this contract?

____ YES NO

If yes, please identify the Board of Member(s) by name:

Do you or your company, or any agency on behalf of you or your company, anticipate or plan to make any political contribution of more than \$250 to any Member of the Board of Supervisors in the three months following any Board action related to this contract?

____ YES NO

If yes, please identify the Board Member(s) by name:

Answering YES to either of the two questions above does not preclude the County of El Dorado from awarding a contract to your firm or any taking any subsequent action related to the contract. It does, however, preclude the identified Board Member(s) from participating in any actions related to this contract.

4/6/2023

Date

O'Connell Research

Type or write name of company

[Handwritten Signature]

Signature of authorized individual

Kevin O'Connell

Type or write name of authorized individual