

American Pavement Systems, Inc.

FIRST AMENDMENT TO AGREEMENT FOR SERVICES #6634

THIS FIRST AMENDMENT to that Agreement for Services #6634 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 American Pavement Systems Inc., a corporation duly qualified to conduct business in the State of California, whose principal place of business is 1012 11th Street, Suite 1000, Modesto, California 95354 and whose local address is 25455 Highway 99, Acampo, California 95220 (hereinafter referred to as "Contractor");

RECITALS

WHEREAS, Contractor has been engaged by County to provide various types of road surface treatments on an as-needed basis for the Department of Transportation pursuant to Agreement for Maintenance Services #6634, dated July 26, 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 compensation amount of the Agreement by \$5,500,000, amending **ARTICLE 5, Contract Price**;

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

I. **ARTICLE 5, Contract Price**, paragraph 2 of the Article is amended to read as follows:

5. **Contract Price**

The total amount of this Agreement, as amended, shall not exceed \$17,500,000, inclusive of all Work Orders and amended Work Orders, costs, taxes, and expenses. It is understood and agreed that there is no guarantee, either expressed or implied that this dollar amount will be authorized under this Agreement through Work Orders.

Except as herein amended, all other parts and sections of Agreement for Services #6634 shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement for Services #6634 on the dates indicated below.

-- COUNTY OF EL DORADO --

By: _____ Dated: _____

Board of Supervisors
"County"

Attest:
Kim Dawson
Clerk of the Board of Supervisors

By: _____ Dated: _____
Deputy Clerk

-- AMERICAN PAVEMENT SYSTEMS, INC. --

By: _____ Dated: _____
Gregory Reed
President
"Contractor"

By: _____ Dated: _____
Elvia Rush
Corporate Secretary