

Helix Environmental Planning, Inc.

FIRST AMENDMENT TO AGREEMENT FOR SERVICES #2072

THIS FIRST AMENDMENT to that Agreement for Services #2072, 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 Whitney Environmental Consulting, Inc., a corporation, duly qualified to conduct business in the State of California, doing business as Foothill Associates, now owned and operating as Helix Environmental Planning, Inc., a corporation duly qualified to conduct business in the State of California, whose principal place of business is 7578 El Cajon Boulevard, La Mesa, California 91942, and whose local address is 590 Menlo Drive, Suite 5, Rocklin, California 95765 (hereinafter referred to as "Consultant");

RECITALS

WHEREAS, Whitney Environmental Consulting, Inc. has been engaged by County to provide regulatory consulting services for the permitting of the SPTC-EDC natural trail from Latrobe Road to Railroad Park and Railroad Park east to Missouri Flat Road, pursuant to Agreement for Services #2072, dated March 20, 2018, incorporated herein and made by reference a part hereof (herein after referred to as "Agreement");

WHEREAS, ARTICLE IX, Assignment and Delegation, of the Agreement prohibits Whitney Environmental Consulting, Inc. from assigning services to be provided, in whole or in part, to any other person or entity without prior written consent of County;

WHEREAS Whitney Environmental Consulting, Inc. has been acquired by Helix Environmental Planning, Inc., effective May 1, 2019;

WHEREAS, by operation of this acquisition, Helix Environmental Planning, Inc. shall assume all of Whitney Environmental Consulting, Inc.'s duties, responsibilities, and obligations, including insurance and indemnity obligations, for consulting services for the permitting of the SPTC-EDC natural trail under the terms and conditions of the Agreement, including, but not limited to, any liabilities or obligations for consulting services prior to the effective date of the acquisition;

WHEREAS, the parties hereto desire to amend the Agreement to change all references from Whitney Environmental Consulting, Inc. to Helix Environmental Planning, Inc.;

WHEREAS, the parties hereto desire to amend **ARTICLE XIV, Notice to Parties**, to update the notice recipients;

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 for Services #2072 on the following terms and conditions:

- I. All references to Whitney Environmental Consulting, Inc. are substituted with Helix Environmental Planning, Inc.
- II. The parties agree that by operation of the acquisition described above, Helix Environmental Planning, Inc. assumes all duties and obligations under this Agreement, including, but not limited to, any liabilities or obligations for services performed by Whitney Environmental Consulting, Inc. prior to the effective date of the acquisition, and Helix Environmental Planning, Inc. is responsible for performing the work and services in accordance with all the terms and conditions of this Agreement.
- III. **ARTICLE XIV, Notice to Parties**, of the Agreement is amended in its entirety to read as follows:

ARTICLE XI

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:

With a copy to:

County of El Dorado
 Chief Administrative Office
 Parks Division
 200 Armory Drive
 Placerville, California 95667

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

Attn.: Vickie Sanders
 Parks Manager

Attn.: Michele Weimer
 Procurement and Contracts Manager

or to such other location as County directs.

Notices to Consultant shall be addressed as follows:

Helix Environmental Planning, Inc.
 7578 El Cajon Boulevard
 La Mesa, California 91942

Attn.: Michael Schwerin
 Chief Executive Officer

or to such other location as Consultant directs.

Except as herein amended, all other parts and sections of Agreement for Services #2072, as amended, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement for Services #2072 on the dates indicated below.

--COUNTY OF EL DORADO--

By: _____
Board of Supervisors
"County"

Dated: _____

Attest:
James S. Mitrison
Clerk of the Board of Supervisors

By: _____
Deputy Clerk

Dated: _____

--HELIX ENVIRONMENTAL PLANNING, INC.--

By: 
Michael Schwerin
Chief Executive Officer
"Consultant"

Dated: May 7, 2019