

**FIRST AMENDMENT TO
JOB ORDER CONTRACT AGREEMENT**

This First Amendment to the Job Order Contract Agreement (“First Amendment”) is made and entered into this 15th day of September 2009, by and between the County of San Mateo, a political subdivision of the State of California, hereinafter called the COUNTY, and Sea Pac Engineering, Inc., hereinafter called CONTRACTOR.

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof; and

WHEREAS, Public Contract Code section 20128.5 provides that the board of supervisors may award individual annual contracts, none of which shall exceed three million dollars (\$3,000,000), adjusted annually to reflect the percentage change in the California Consumer Price Index (CPI), for repair, remodeling, or other repetitive work to be done according to unit prices; and

WHEREAS, on April 28, 2009, the COUNTY AND THE CONTRACTOR entered into a one year Job Order Contract Agreement (the “Original Agreement”); and

WHEREAS, the Original Agreement provides that the Maximum Contract Value may be increased by the written agreement of the parties up to the maximum amount authorized by Public Contract Code Section 20128.5., and

WHEREAS, application of the CPI to the level of authority specified in section 20128.5 results in the current maximum amount authorized by Public Contract Code Section 20128.5 being in excess of four million dollars (\$4,000,000) for an annual contract; and

WHEREAS, the parties now desire to increase the Maximum Contract Value under the Original Agreement to \$4,000,000.

NOW, THEREFORE, the Original Agreement is hereby amended as follows:

1. The Maximum Contract Value is hereby increased to Four million and No/100 dollars (\$4,000,000).
2. All other terms and conditions of the Original Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have affixed their signatures to this First Amendment effective as of the day and year first above written.

COUNTY

CONTRACTOR

County of San Mateo

Sea Pac Engineering, Inc.

By _____
Mark Church, President
Board of Supervisors

By: _____
Title

ATTEST:

Clerk of the Board