

AMENDMENT NO. 1
to
AGREEMENT
between
SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS
And
MNS ENGINEERS

The Agreement (hereinafter Agreement) made by and between the SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS (hereafter "SBCAG") and MNS ENGINEERS (hereafter "CONTRACTOR") having its principal place of business 201 N. Calle Cesar Chavez, Suite 300, Santa Barbara, CA 93101 and collectively referred to as the "PARTIES" and executed on January 17, 2019, is hereby amended ("AMENDMENT NO. 1") as follows:

Section 4 "TERM" of the AGREEMENT is deleted and replaced in its entirety with:

- A. CONTRACTOR shall commence performance after this AGREEMENT has been executed and notice to proceed has been issued to CONTRACTOR by SBCAG. All work described herein shall be completed within the time period and according to the schedule specified in EXHIBIT A, unless otherwise directed by SBCAG or unless earlier terminated. The period of performance shall end upon completion, but no later than June 30, 2023, unless otherwise directed by SBCAG or unless earlier terminated.
- B. The Executive Director of SBCAG may extend the time of performance of this AGREEMENT for a period of one year by giving written notice of extension to CONTRACTOR 30 days prior to the completion date specified in Section 4(a). In accordance with this subsection 4.B, the Executive Director extended the Agreement through an Extension Letter on November 30, 2020.

Section 46 "DOMESTIC PREFERENCES FOR PROCUREMENTS" is added in its entirety:

- A. As appropriate and to the extent consistent with law, the CONTRACTOR should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subcontractor agreements.
- B. For purposes of this section:
 - i. "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
 - ii. "Manufactured products" means items and construction materials composed in whole or in part of nonferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

Exhibit A, first paragraph of the "Scope of Services and Timeline" is deleted in its entirety and replaced with:

CONTRACTOR agrees to perform the SERVICES generally outlined below upon execution of this AGREEMENT. A detailed scope of services will be implemented via "Task Orders" to this AGREEMENT which will be individually authorized. Individual "Task Orders" shall be executed by SBCAG's Executive Director and are incorporated herein by reference.

Counterparts. This AMENDMENT NO. 1 may be executed in several counterparts, all of which taken together shall constitute a single agreement between the parties.

Ratifications. The terms and provisions set forth in this AMENDMENT NO. 1 shall modify and supersede all inconsistent terms and provisions set forth in the Agreement. The terms and provisions of the Agreement, except as expressly modified and superseded by this AMENDMENT NO. 1, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding and enforceable obligations of the parties.

IN WITNESS THEREOF, the parties have executed this AMENDMENT NO. 1 to be effective on the date when fully executed by both parties.

CONTRACTOR

**SANTA BARBARA COUNTY
ASSOCIATION OF GOVERNMENTS**

By: _____
Greg Chelini
Vice President

By: _____
Holly Sierra
Chair, Board of Directors

Date: _____

Date: _____

Attest:
Marjie Kirn
Executive Director
Clerk of the Board

By: _____

Approved as To Form:
Rachel Van Mullem
County Counsel

By:  _____
Deputy County Counsel