

AMENDMENT NUMBER THREE
TO
CONTRACT NUMBER MA-060-19011518
BETWEEN THE
COUNTY OF ORANGE
AND
ORANGE COUNTY PUMPING, INC.

This AMENDMENT NUMBER THREE to Contract number MA-060-19011518 (hereinafter "AMENDMENT NUMBER THREE") between the County of Orange, a political subdivision of the State of California (hereinafter "COUNTY") and Orange County Pumping Inc., (hereinafter "CONTRACTOR") with a place of business at 630 S. Hathaway Street, Santa Ana, CA 92705, with COUNTY and CONTRACTOR sometimes referred to collectively as "Parties," is made and entered upon execution of all necessary signatures.

RECITALS:

WHEREAS, COUNTY and CONTRACTOR executed a Contract for Septic Tank Pumping, Cleaning and Maintenance Services on June 4, 2019 as Contract number MA-060-19011518 (hereinafter "ORIGINAL CONTRACT"), for a two (2) year term of June 4, 2019 through and including June 3, 2021, renewable for three (3) additional one (1) year terms; and

WHEREAS, COUNTY and CONTRACTOR amended Attachment B, Compensation and Pricing Provision, Section 2. Fees and Charges of the ORIGINAL CONTRACT on December 3, 2020, to increase the rates for waste disposal effective July 1, 2020 (hereinafter "AMENDMENT NUMBER ONE"); and

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on April 12, 2021 for a one year term of June 4, 2021 through and including June 3, 2022, in an amount not to exceed \$296,499.00 (hereinafter "AMENDMENT NUMBER TWO");

WHEREAS, COUNTY desires to renew the ORIGINAL CONTRACT for a one year term of June 4, 2022 through and including June 3, 2023 and the CONTRACTOR has agreed to continue to provide those services at the rates set forth herein and in AMENDMENT NUMBER ONE;

NOW THEREFORE, in consideration of the mutual obligations set forth herein, both COUNTY and CONTRACTOR agree as follows:

1. ARTICLES

a. Additional Terms and Conditions, Section 2 Term of Contract, of the ORIGINAL CONTRACT is amended in its entirety as follows:

2. Term of Contract: This Contract shall commence upon execution of all necessary signatures, and continue in effect from 6/4/2019 through and including 6/3/2023, unless otherwise terminated by COUNTY.

b. Additional Terms and Conditions, Section 3 – Renewals, of the ORIGINAL CONTRACT is amended in its entirety as follows:

3. Renewal: This Contract may be renewed for one (1) additional one-year terms, upon mutual written agreement of both Parties. Renewal periods may be subject to approval by the County of Orange Board of Supervisors. The COUNTY is not under any obligation to provide CONTRACTOR with a reason should it elect not to renew this CONTRACT, nor is it required to give CONTRACTOR prior notice of its intent not to renew.

c. Attachment B, Compensation and Pricing Provisions, Section 2, Fees and Charges, of the ORIGINAL CONTRACT is amended in part as follows:

Contract shall not exceed \$296,499.00 per one-year term

2 All other terms and conditions in this Contract shall remain unchanged and with full force and effect.

(Signature Page Follows)

IN WITNESS WHEREOF, the Parties have executed AMENDMENT NUMBER THREE to Contract Number MA-060-19011518.

*Contractor: Orange County Pumping, Inc.

By: [Signature] Title: President
Print Name: Carlos Rodriguez Date: 2/15/2022

*Contractor: Orange County Pumping, Inc.

By: [Signature] Title: Treasurer
Print Name: Sandra Rodriguez Date: 2/15/2022

**If the contracting party is a corporation, (2) two signatures are required: (1) signature by the Chairman of the Board, the President or any Vice President; and one (1) signature by the Secretary, any Assistant Secretary, the Chief Financial Officer or any Assistant Treasurer. The signature of one person alone is sufficient to bind a corporation, as long as he or she holds corporate offices in each of the two categories described above. For County purposes, proof of such dual office holding will be satisfied by having the individual sign the instrument twice, each time indicating his or her office that qualifies under the above described provision.*

In the alternative, a single corporate signature is acceptable when accompanied by a corporate resolution demonstrating the legal authority of the signature to bind the company.

County Of Orange

A political subdivision of the State of California



Sheriff-Coroner Department

By: [Signature] Title: Supervising PCS
Print Name: MARIA AYALA Date: 3/9/22

Approved by the Board of Supervisors: 4/26/2022

Approved as to Form
Office of the County Counsel
Orange County, California

By: [Signature]
Deputy