

**AMENDMENT NO. 2
TO CONTRACT MA-080-23011402
FOR
QUALIFIED VENDOR LIST FOR GEOTECHNICAL & MATERIALS TESTING SERVICES**

This Amendment is made and entered into as of the date fully executed by and between the County of Orange, a political subdivision of the State of California, Orange County Flood Control District, a body corporate and politic ("County"), and Earth Mechanics, Inc. ("A-E"), with County and A-E sometimes individually referred to as "Party" or collectively referred to as "Parties."

RECITALS

WHEREAS, the County and A-E entered into Contract MA-080-23011402 (the "Contract") for Qualified Vendor List for Geotechnical & Materials Testing Services, effective July 18, 2023 through July 17, 2026, with a maximum allowable compensation of Seven Hundred Fifty Thousand Dollars (\$750,000); and

WHEREAS, pursuant to Amendment No. 1, the Parties amended the Contract to add Subconsultant Classification Rates; and

WHEREAS, the Parties now desire to amend the Contract Term and Maximum Compensation to remove the reference to, "maximum annual allowable compensation of \$250,000;" and

WHEREAS, the Parties now desire to increase the Contract maximum cumulative allowable compensation by \$450,000 for a revised maximum cumulative allowable compensation of \$1,200,000; and

WHEREAS, the Parties now desire to amend to update the Contract Notices; and

NOW, THEREFORE, the Parties agree as follows:

ARTICLES

1. Section 1.4 shall be amended to read as follows:

1.4 Term and Maximum Compensation

The term of this aggregate Contract is for three (3) years commencing upon execution of all necessary signatures or upon Board of Supervisors approval, whichever occurs later, with a maximum cumulative allowable compensation of one million two hundred thousand dollars (\$1,200,000), except as permitted in Paragraph 1.5 below. The Parties have the option to renew for up to two (2) additional years with Board of Supervisors approval.

2. Attachment A: Scope of Work, Section I: Introduction shall be amended to read as follows:

I. INTRODUCTION

OC Public Works, on behalf of the County of Orange (County) and Orange County Flood Control District (District), requires supplemental professional services to meet workload demands and project scheduling commitments in relation to Architect/Engineer (A-E) Design, Project Administration and Management Services for various projects. A-E is defined as an Architect or Engineer for design and/or engineering of a project. To supplement existing resources, County intends to issue "On-Call Geotechnical & Materials Testing Services" for use by Orange County on an "as-needed" basis. No specified amount of work is guaranteed to A-E.

However, the amount of negotiated contracted work that will be required on an "as-needed" basis shall not exceed (\$1,200,000).

3. Section 6.14.3 shall be amended to read as follows:

All communications shall be addressed to the appropriate party at the address stated herein or such other address as the parties hereto may designate by written notice from time to time in the manner aforesaid.

For A-E: Earth Mechanics, Inc.
 Attn: Alaheswaran Thuraiajah
 17800 Newhope Street, Suite B,
 Fountain Valley, CA 92708
 Phone: 714-751-3826
 E-mail: A.Thuraiajah@earthmech.com

For COUNTY: OC Public Works/Infrastructure Programs
 Attn: Melissa Pasa
 601 N. Ross Street
 Santa Ana, CA 92701
 Phone: (714) 647-3977
 E-mail: melissa.pasa@ocpw.ocgov.com

cc: OC Public Works Procurement Services
 601 N. Ross Street
 Santa Ana, CA 92701
 Attn: Daisy Corona
 Phone: 714-667-9643
 E-mail: Daisy.Corona@ocpw.ocgov.com

4. All other terms and conditions of the Contract shall remain unchanged and with full force and effect.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment on the dates opposite their respective signatures:

EARTH MECHANICS, INC. a California Corporation,

Date: 5/9/2024

DocuSigned by:
By: Alaheswaran
Signature 06F0743DB68B4E3...

Alaheswaran Thurairajah, President
Print Name & Title

(If a corporation, the document must be signed by two corporate officers. The 1st must be either Chairman of the Board, President or any Vice President.)

Date: 5/9/2024

DocuSigned by:
By: Denise Casad
Signature 17720BEC7A1948A...

Denise Casad, Chief Financial Officer
Print Name & Title

(If a corporation, the 2nd signature must be either the Secretary, an Assistant Secretary, the Chief Financial Officer, or any Assistant Treasurer.)

County of Orange, a political subdivision of the State of California; and Orange County Flood Control District, a body corporate and politic

Date: _____

By: _____

Print Name: _____

Title: _____

APPROVED AS TO FORM
Office of the County Counsel
Orange County, California

DocuSigned by:
By: Paul M. Albarian
Deputy 0E04561C5546A...

Print Name: Paul M. Albarian

Date: 5/10/2024