

SECOND ADDENDUM TO AGREEMENT BY AND BETWEEN THE

MARIN COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT  
AND NUTE ENGINEERING

THIS SECOND ADDENDUM is made and entered into this 7th day of June 2005, by and between the MARIN COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT, a political subdivision of the State of California (hereinafter referred to as "County") and NUTE ENGINEERING (hereinafter referred to as "Consultant").

RECITALS

WHEREAS, the County and the Consultant entered into an agreement for Professional Services as described in the agreement dated February 3, 2004 ("Agreement"); and

WHEREAS, Section 1 of the agreement obligated Consultant to provide services set forth in Exhibit A; and

WHEREAS, the parties amended the agreement on September 19, 2004, to increase the contract performance time and the time of the agreement by one year to account for delays due to cash flow consideration in proceeding with the construction phase.

WHEREAS, the parties desire to amend the agreement to increase the contract performance time and the time of the agreement to cover plan review and bidding processes.

NOW, THEREFORE, the parties agree to modify Sections 6, 14, and 23 as set forth below.

AGREEMENT

1. Section 6 is hereby amended as follows:

All the work required by this Contract shall be completed and ready for acceptance no later than December 31, 2005.

2. Section 14 is hereby amended as follows:

The period of this Agreement shall commence on February 3, 2004 and shall terminate on December 31, 2005. Time is of the essence with respect to this Contract.

3. Section 23 is hereby amended as follows:

The County representative is changed from John Wooley to Tracy Clay with the same title and address.

4. Except as otherwise provided herein all terms and conditions of the agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Second Addendum on the day first written above.

MARIN COUNTY FLOOD CONTROL  
& WATER CONSERVATION DISTRICT

NUTE ENGINEERING  
907 Mission Avenue  
San Rafael, CA 94901

By: \_\_\_\_\_  
PRESIDENT OF THE BOARD OF SUPERVISORS

\_\_\_\_\_  
Edward Nute, Principal

APPROVED AS TO FORM:

\_\_\_\_\_  
County Counsel