

**AMENDMENT TO AGREEMENT
BETWEEN THE COUNTY OF SAN MATEO AND
ACT ENVIRO**

THIS AMENDMENT TO THE AGREEMENT, entered into this **17** day of December, 2020, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and ACT Enviro, 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;

WHEREAS, the parties entered into an Agreement for providing packaging, labeling, shipping, transporting and recycling of universal waste lamps and batteries collected by the retail take-back partner stores on March 12, 2019 for the term of March 13, 2019 through March 12, 2022, in an amount not to exceed \$175,000.00; and

WHEREAS, the parties wish to amend the Agreement to increase the maximum amount payable by \$100,000, to an amount not to exceed \$275,000.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. Section 3. Payments, of the agreement is amended to read as follows:

In consideration of the services provided by Contractor in accordance with all terms, conditions, and specifications set forth in this Agreement and in Exhibit A, County shall make payment to Contractor based on the rates and in the manner specified in Exhibit B. County reserves the right to withhold payment if County determines that the quantity or quality of the work performed is unacceptable. In no event shall County's total fiscal obligation under this Agreement exceed \$275,000. In the event that County makes any advance payments, Contractor agrees to refund any amounts in excess of the amount owed by County at the time of contract termination or expiration. Contractor is not entitled to payment for work not performed as required by this agreement.

2. **All other terms and conditions of the agreement dated March 12, 2019 between the County and Contractor shall remain in full force and effect.**

In witness of and in agreement with this Agreement's terms, the parties, by their duly authorized representatives, affix their respective signatures:

For Contractor: ACT Enviro

Mariana Sabich

12/17/2020
Date

Mariana Sabich
Contractor Name (please print)

Contractor Signature

COUNTY OF SAN MATEO

By:
President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By:
Clerk of Said Board