

ADAMS COUNTY, COLORADO
AMENDMENT TWO 2018.527 FOR ENVIRONMENTAL SAFETY CONSULTING

THIS AMENDMENT TWO TO PROFESSIONAL/PURCHASE OF SERVICE AGREEMENT 2016.703 is entered into this 23 day of OCTOBER, 2018, by and between the Board of County Commissioners of Adams County, Colorado, located at 4430 South Adams County Parkway, Brighton, Colorado 80601, hereinafter referred to as the "County," and B&B Environmental Safety, Inc., located at 17416 Murphy Parkway, Lathrop, California 95330, hereinafter referred to as the "Contractor." The County and the Contractor may be collectively referred to herein as the "Parties".

RECITALS

WHEREAS, on August 30, 2016, the County entered into a Professional/Purchase of Service Agreement 2016.703 with Contractor; and,

WHEREAS, the County and the Contractor mutually desire to amend the Service Agreement to extend the term.

NOW, THEREFORE, for the consideration set forth herein, the sufficiency of which is mutually acknowledged by the parties, the County and the Contractor agree as follows:

1. The Service Agreement is hereby amended to extend the term of the Agreement until August 31, 2019.
2. The fee schedule shall be fifty-seven thousand five hundred sixty-four dollars and ninety-seven cents (\$7,564.97).
3. The Service Agreement and this Amendment Two contain the entire understanding of the parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by both parties. Except as amended by this Amendment, and any prior amendment(s), the terms and conditions of the Agreement remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Service Agreement and this Amendment Two, the terms, conditions, and provisions of this Amendment Two shall control.
4. The Recitals contained in this Amendment Two are incorporated into the body hereof and accurately reflect the intent and agreement of the parties.
5. This Amendment Two may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.
6. Nothing expressed or implied in this Amendment Two is intended or shall be construed to confer upon or to give to, any person other than the parties, any right, remedy, or claim under or by reason of this Amendment Two or any terms, conditions, or provisions

hereof. All terms, conditions, and provisions in this Amendment Two by and on behalf of the County and the Contractor shall be for the sole and exclusive benefit of the County and the Contractor.

7. If any provision of this Amendment Two is determined to be unenforceable or invalid for any reason, the remainder of the Amendment Two shall remain in effect, unless otherwise terminated in accordance with the terms contained in the Service Agreement.
8. Each party represents and warrants that it has the power and ability to enter into this Amendment Two, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the County and the Contractor have caused their names to be affixed.

ADAMS COUNTY, COLORADO
BOARD OF COUNTY COMMISSIONERS

Mary Nady
Chair

10/23/18
Date

B&B Environmental Safety, Inc.

Kenneth S. Pugh
Print Name

President
Print Title

[Signature]
Signature

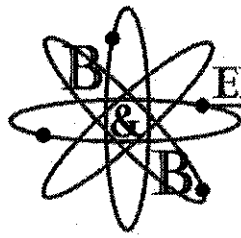
09/01/2018
Date

ATTEST: STAN MARTIN
CLERK AND RECORDER

[Signature]
Deputy Clerk

APPROVED AS TO FORM:

[Signature]
County Attorney



ENVIRONMENTAL SAFETY, INC.
AWARENESS. RESPONSE. SOLUTIONS

August 23, 2018

Ms. Jen Rutter
Adams County Board of Commissioners
4430 South Adams County Parkway, 1st Floor, Suite W2000A
Brighton, CO 80601
Phone No.: 720-523-6841
jrutter@adcogov.org

In Response To:
RENEWAL- Safety Consulting Services (Service Agreement #2017-292 - Amendment 1)

Dear Ms. Rutter:

B&B Environmental Safety, Inc. (BBES) is pleased to provide you with a time and materials proposal in the estimated amount of **\$57,564.97** to complete this project. BBES will perform Safety Consulting Services for the Clean Harbors Deer Trail.

I have included our Terms & Conditions. Please feel free to contact me if you have any questions or concerns. Thank you for this opportunity to submit pricing for the contract renewal.

Terms and Conditions...

- 1) BBES personnel will not be responsible for schedule delays due to:
 - a. Inclement weather and/or natural events
 - b. Acts of sabotage and/or terrorism
 - c. Loss of utilities
- 2) All terms, assumptions, and conditions of subcontractors and vendors, as stated in the enclosed references, are additionally included as terms, assumptions, and conditions of BBES.
- 3) Pricing is based on the information gathered from work performed under Service Agreement 2017-292: Amendment 1.
- 4) Any deviation in the proposed Safety Consulting Services will necessitate a Change Notice to be issued against the existing SOW.
- 5) Price valid shall be one-year from the Service Agreement renewal date or 180 days, whichever comes first.
- 6) Payment terms are NET 30 days.

Best Regards,

Amber E. Maru

Amber E. Maru
Project Manager
B&B Environmental Safety, Inc.