

ADAMS COUNTY, COLORADO  
PROFESSIONAL SERVICE AGREEMENT

**AMENDMENT TWO**  
Acrylic Based Soil Stabilizing Polymer

THIS AMENDMENT TWO ("Amendment Two") is made this 26 day of FEB 2019, by and between the Adams County Board of County Commissioners, located at 4430 South Adams County Parkway, Brighton, Colorado 80601, hereinafter referred to as the "County," and **EP&A ENVIROTAC, INC.**, located at 78-900 Avenue 47, Suite 106, La Quinta, California 92253, hereinafter referred to as the "Contractor." The County and the Contractor may be collectively referred to herein as the "Parties".

RECITALS

WHEREAS, on January 9, 2018, the County entered into Amendment One #2018.305 with EP&A Envirotac, Inc., to provide Acrylic Based Soil Stabilizing Polymer, and,

WHEREAS, the County and the Contractor mutually desire to amend the Agreement to extend the term for one additional year effective July 11, 2019 pursuant to **Section 3 TERM, Paragraph 3.2 Extension Options.**

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 County shall pay the Contractor for the services furnished under this Amendment Two in accordance with **Section 4 Payment and Fee Schedule** for an additional sum not to exceed one million, one hundred, eighty-eight thousand, four hundred thirty dollars and no cents (\$1,188,430.00) for the last option year.
2. The term of the Agreement is extended for one (1) additional year effective through July 10, 2020.
3. The Service Agreement, Amendment One and 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. Any terms, conditions, or provisions of the Service Agreement and Amendment One that are not amended or modified by Amendment Two shall remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Service Agreement, Amendment One and Amendment Two the terms, conditions, and provisions of Amendment Two shall prevail.
4. The Recitals contained in Amendment Two are incorporated into the body hereof, and accurately reflect the intent and agreement of the parties.
5. 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 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 Amendment Two or any terms, conditions, or provisions hereof. All terms, conditions, and provisions in 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 Amendment Two is determined to be unenforceable or invalid for any reason, the remainder of 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 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.

**BOARD OF COUNTY COMMISSIONERS  
ADAMS COUNTY, COLORADO**

By:

Steven J. Adriscio  
Chair

2/26/19  
Date

**CONTRACTOR:  
EP&A ENVIROTAC, INC.**

By:

Justin Vermillion  
Name (Print or Type)

2/18/2019  
Date

Justin Vermillion  
Authorized Signature

President  
Title

**ATTEST:**  
Josh Zygielbaum  
Clerk and Recorder

E. Hanner

**APPROVED AS TO FORM**  
Adams County Attorney's Office

By: D. Edelst  
Attorney Signature