

**FIRST AMENDMENT TO  
TULARE COUNTY AGREEMENT NO. 28592**

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**THIS FIRST AMENDMENT** ("Amendment") to Tulare County Agreement Number 28592 (the "Agreement") is entered into by and between the **COUNTY OF TULARE**, a political subdivision of the State of California ("COUNTY") and **VSCE, Inc.**, a California Corporation ("CONTRACTOR") as of \_\_\_\_\_, 2019 with reference to the following:

A. The COUNTY and CONSULTANT entered into Tulare County Agreement number 28592 on May 15, 2018 for the purpose of providing construction management services for the Transit Operations and Maintenance Facility project; and

B. COUNTY and CONSULTANT now wish to amend the Agreement in order to extend the term thereof.

**ACCORDINGLY, COUNTY and CONTRACTOR** agree as follows:

1. Section 2 [TIME FOR PERFORMANCE/TERM] of the Agreement is hereby revised to read as follows:

Time is of the essence in this Agreement. The services as described in Exhibit A, will commence within five days of receipt of a written notice to proceed issued following acceptance of this Agreement by the COUNTY. This agreement shall terminate on **June 30th, 2020**. Mutually acceptable changes in the scope, character, or complexity of the work if such changes become desirable or necessary as the work progresses will be accommodated by a supplemental agreement. An appropriate extension of time may be made in the form of a supplemental agreement in case of unavoidable delays. Corresponding warranted adjustments in payment will be made based upon the incorporated rate schedule. CONSULTANT is advised that any recommendation for contract award is not binding on COUNTY until the contract is fully executed and approved by COUNTY.

2. This First Amendment becomes effective upon its execution by the Board of Supervisors.

3. Except as provided above, all other terms and conditions of the Agreement shall remain in full force and effect.

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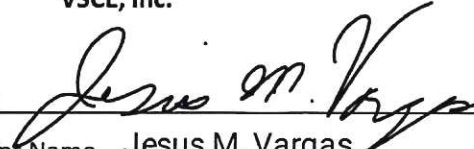
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**THE PARTIES**, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

**VSCE, Inc.**

Date 10/15/19

By   
Print Name Jesus M. Vargas  
Title President

Date \_\_\_\_\_

By \_\_\_\_\_  
Print Name \_\_\_\_\_  
Title \_\_\_\_\_

[Pursuant to Corporations Code section 313, County policy requires that contracts with a Corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of a resolution of the corporation's Board of Directors authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section 17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the articles of organization stating that the LLC is managed by only one manager.]

**COUNTY OF TULARE**


Date \_\_\_\_\_

By \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: JASON T. BRITT  
County Administrative Officer/Clerk of the Board  
of Supervisors of the County of Tulare

By \_\_\_\_\_  
Deputy Clerk

Approved as to Form:  
County Counsel

By   
Deputy 10/29/19

Matter # 20191677