**MEETING DATE:** March 6, 2018  
**TYPE OF AGENDA ITEM:**  
✓ Consent

**DEPARTMENT:** Department of Public Works and Transportation  
**APPROVING PARTY:** Tim H. Beals, Director  
**PHONE NUMBER:** 530-289-3201

**AGENDA ITEM:** Amendment to Earth Surgeon's Construction Company Agreement for Equipment Services 2012-035 to reduce base contract fee.

**SUPPORTIVE DOCUMENTS ATTACHED:**  
☐ Memo  ☐ Resolution  ☑ Agreement  ☐ Other

**BACKGROUND INFORMATION:** Earth Surgeons Construction Company provides backhoe rental and an operator for road maintenance including debris removal and road opening on an as needed/as directed basis in the northwestern area of the County (LaPorte area). The agreement renews automatically on July 1. The maximum contract amount has been $15,000 annually, and was increased by amendment last July to $16,000/annually. Earth Surgeons has requested that the contract amount be reduced to the original annual amount of $15,000.

**FUNDING SOURCE:** 031  
**GENERAL FUND IMPACT:** No General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** $15,000  
N/A

**ARE ADDITIONAL PERSONNEL REQUIRED?**  
☐ Yes, -- --  
☑ No

**IS THIS ITEM ALLOCATED IN THE BUDGET?**  
☑ Yes  ☐ No

**IS A BUDGET TRANSFER REQUIRED?**  
☐ Yes  ☐ No

**SPACE BELOW FOR CLERK’S USE**

**BOARD ACTION:**  
☐ Approved  
☐ Approved as amended  
☐ Adopted  
☐ Adopted as amended  
☐ Denied  
☐ Other  
☐ No Action Taken

☐ Set public hearing  
For: ____________________________

☐ Direction to: ____________________

☐ Referred to: ____________________

☐ Continued to: ____________________

☐ Authorization given to:  
____________________________

Resolution 2018- _____________  
Agreement 2018- _____________  
Ordinance _____________________  
Vote:  
Ayes:  
Noes:  
Abstain:  
Absent:  
☐ By Consensus

**COMMENTS:**

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**CLERK TO THE BOARD**

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**DATE**
AGREEMENT NO. 2018-
(An Amendment to Agreement No 2012-035)

AMENDMENT to AGREEMENT
FOR
EQUIPMENT SERVICES

The following is an amendment to that certain Agreement No. 2012-035 (“Agreement”) with an Effective Date of April 3, 2012, by and between the County of Sierra, a political subdivision of the State of California (“the County”) and Earth Surgeons Construction Company.

1. Provision 3 of the Agreement, pertaining to the Payment refers to Attachment B. Attachment B of the Agreement pertaining to “Payment” is hereby amended to decrease the maximum contract rate per year to $15,000 at the hourly rate of $85.00 per hour, unless otherwise amended.

3. All other terms and conditions of the Agreement to remain the same.

4. This Agreement, with amendments, shall have an Effective Date of March 6, 2018.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of March 6, 2017.

COUNTY OF SIERRA                       “CONTRACTOR”

SCOTT A. SCHLEFSTEIN                   STEVE KERR
Chairman, Board of Supervisors          EARTH SURGEONS CONSTRUCTION CO.

ATTEST:                                APPROVED AS TO FORM:

HEATHER FOSTER                         DAVID PRENTICE
Clerk of the Board                      County Counsel