



RESOLUTION No. 24-496

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 2 TO PROFESSIONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND ABBOTT & KINDERMANN, INC, EXTENDING THE TERM OF THE CONTRACT TO JUNE 30, 2026, INCREASING THE CONTRACT AMOUNT BY \$175,000 FOR A MAXIMUM CONTRACT AMOUNT OF \$225,000, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, the Parties entered into a Professional Services Contract [PESR4919] for legal services in connection with the application for the Idaho Maryland Mine – Rise Gold project; and

WHEREAS, the case is ongoing, including the filing of a Petition for Peremptory Writ of Mandate entitled *Rise Grass Valley vs. County of Nevada*; Nevada County Superior Court Case No. CU0001386; and

WHEREAS, an extension of the Contract term is necessary to provide for the litigation services under this Contract; and

WHEREAS, additional funding is necessary to pay for the litigation costs; and

WHEREAS, the County desires that Contractor continue to provide legal services related to the continued defense and trial of the above-referenced claim and litigation, and Contractor is ready, willing and able to provide such services; and

WHEREAS, the parties now desire to extend the term of the contract from June 30, 2025, to June 30, 2026; and

WHEREAS, the parties now desire to increase the maximum amount of the contract by \$175,000 to a maximum contract amount of \$225,000.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, that Amendment No. 2 to Professional Services Contract by and between the County of Nevada and Abbott & Kindermann, Inc, extending the Contract Term to June 30, 2026, and increasing the contract by \$175,000 for a maximum amount of \$225,000, be and hereby is approved in the form attached hereto as Exhibit A, and the Chair of the Board of Supervisors is hereby authorized to execute the Amendment.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10th day of September 2024, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout,
Susan Hoek, and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

Recuse: None.

ATTEST:

TINE MATHIASSEN
Chief Deputy Clerk of the Board of Supervisors

By: _____

Tine Mathiasen

Hardy Bullock, Chair

Hardy Bullock 9/10/24

EXHIBIT A

AMENDMENT NO. 2 TO PROFESSIONAL SERVICES CONTRACT [BFS21195] WITH ABBOTT & KINDERMANN, INC.

THIS AMENDMENT No. 2 is made and is effective as of September 10, 2024, by and between Abbott & Kindermann, Inc. ("Contractor"), and the County of Nevada ("County"), collectively, the "Parties." This Amendment No. 2 amends the Professional Services Contract between the parties for legal services, effective as of February 19, 2024 ("Contract").

WHEREAS, the Parties entered into a Professional Services Contract [PESR4919] for legal services in connection with the application for the Idaho Maryland Mine – Rise Gold project; and

WHEREAS, the case is ongoing, including the filing of a Petition for Peremptory Writ of Mandate entitled *Rise Grass Valley vs. County of Nevada; Nevada County*, Superior Court Case No.CU0001386; and

WHEREAS, an extension of the Contract term is necessary to provide for the litigation services under this Contract; and

WHEREAS, additional funding is necessary to pay for the litigation costs; and

WHEREAS, the County desires that Contractor continue to provide legal services related to the continued defense and trial of the above-referenced claim and litigation, and Contractor is ready, willing, and able to provide such services; and

WHEREAS, the parties now desire to extend the term of the contract from June 30, 2025, to June 30, 2026; and

WHEREAS, the parties now desire to increase the maximum amount of the contract by \$175,000 to a maximum contract amount of \$225,000.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, the parties hereto agree as follows:

1. Section 2, Payment, is hereby increased by \$175,000 for a maximum contract amount of \$225,000.
2. Section 3, Contract Termination Date, is hereby extended to June 30, 2026.
3. That in all other respects the prior Contract of the parties shall remain in full force and effect except as amended herein.

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 2 to Personal Services Contract between the County of Nevada and Abbott & Kindermann, Inc., effective as of the date first written above.

COUNTY OF NEVADA

By: Hardy Bullock
Hardy Bullock (Oct 28, 2024 13:16 PDT)
Hon. Hardy Bullock
Chair, Board of Supervisors

ATTEST:

By: Tine Mathiasen
Tine Mathiasen
Chief Deputy Clerk of the Board of
Supervisors

CONTRACTOR:

By: Diane Kindermann
Diane Kindermann (Oct 25, 2024 13:48 PDT)
Diane Kindermann, Esq.
Abbott & Kindermann

APPROVED AS TO FORM:

By: Katharine L. Elliott
Kat Elliott (Oct 27, 2024 18:38 PDT)
Katharine L. Elliott
County Counsel