

**AMENDMENT NO. 4 TO
PROFESSIONAL SERVICES CONTRACT (BFS21539) WITH
ROBERT D. NIEHAUS, INC. (RDN)**

This Amendment No.4 ("Amendment") to Professional Services Contract is made and entered into effective the 23rd day of May 2023, by and between the COUNTY OF NEVADA, CALIFORNIA ("COUNTY"), and ROBERT D. NIEHAUS, INC. aka "RDN" (hereinafter "CONTRACTOR"). COUNTY and CONTRACTOR are sometimes hereinafter individually referred to as "Party" and or collectively referred to as the "Parties."

A. Recitals.

(i). COUNTY and CONTRACTOR entered a Professional Services Contract ("Contract") effective December 14, 2021 through which CONTRACTOR has been providing professional services as more fully explained in the Scope of Services attached to the Agreement as Exhibit "A."

(ii). The Contract was authorized by the Nevada County Board of Supervisors on December 14, 2021 per Resolution 21-539.

(iii). On April 4, 2022 the CEO authorized additional services of \$10,000 for a total not to exceed amount of \$80,000 per the Contract as authorized by the Board of Supervisors on December 14, per Resolution 21-539.

(iv). On April 4, 2022 Amendment No. 1 revised the Contract Schedule of Charges and Payments (Exhibit B) to increase the Maximum Fee Limit by 10 percent or \$8,000 as authorized by the Nevada County Purchasing Policy 7.3(d) which was adopted by the Nevada County Board of Supervisors on May 28, 2019 per RES 19-241.

(v). On June 28, 2022, per Resolution 22-337, Amendment No. 2 was executed and extended the term of the agreement from June 30, 2022 through June 30, 2023.

(vi). On December 13, 2022, per Resolution 22-624, Amendment No. 3 was executed to amend the Contract Schedule of Charges and Payments (Exhibit B) to increase the Maximum Fee from \$88,000 to \$94,458 (increase of \$6,458).

(vii). The parties now seek to extend the term of the agreement from June 30, 2023 through June 30, 2024.

(viii). All legal prerequisites to the making of this Amendment have occurred.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties agree as follows:

B. Amendment to Agreement.

1. REVISE Section 3 Term of the Agreement to read as follows:

Term: This Contract shall commence on 12/14/2021. All services required to be provided by this

Contract shall be completed and ready for acceptance no later than the Contract Termination Date of: June 30, 2024.

2. Revise Exhibit B, Schedule of Charges and Payments, to read as follows: County will hold back \$1,000.00 from final invoice to cover consultant time to participate virtually in a Board of Supervisors meeting to be scheduled in 2023. The final balance will be paid following the same Board meeting.
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 caused Amendment No. 4 to the Professional Services Contract are to be executed as of the day and year above as written.

COUNTY OF NEVADA:

By: _____ Date: _____

Printed Name/Title: Honorable Edward C. Scofield, Chair, Board of Supervisors

By: _____

Attest: Julie Patterson Hunter, Clerk of the Board of Supervisors

Approved as to Form – County Counsel:

By: _____ Date: _____

CONTRACTOR: Robert D. Niehaus (RDN)

By: _____ Date: _____

Name: _____

* Title: _____

By: _____ Date: _____

Name: _____

* Title: _____