

EXHIBIT A

AMENDMENT NO. 2 TO PERSONAL SERVICES CONTRACT [BM220152] WITH ABBOTT & KINDERMANN, INC.

THIS AMENDMENT No. 2 is made and is effective as of March __, 2023, by and between Abbott & Kindermann, Inc. (“Contractor”), and the County of Nevada (“County”). This Amendment No. 2, amends the Personal Services Contract between the parties for legal services, effective as of May 1, 2020 (“Contract”).

WHEREAS, by Resolution 20-152, the parties executed a Personal Services Contract [BM220152] with Abbott & Kindermann, Inc., for legal services in connection with the land use and CEQA services to the County in conjunction with the Idaho Maryland Mine and any related litigation actions; and

WHEREAS, the maximum amount of the Contract was set at \$150,000 with a termination date of June 30, 2022; and

WHEREAS, by Resolution 22-276, the parties agreed to extend the term of the Contract from June 30, 2022 to June 30, 2023; and

WHEREAS, the matter is on-going, and an extension of the Contract term is necessary to provide for continued services under this Contract; and

WHEREAS, the County desires that Contractor continue to provide legal services related to the continued project, and Contractor is ready, willing and able to provide such services; and

WHEREAS, the parties desire to extend the term of the Contract from June 30, 2023, to June 30, 2024; and

WHEREAS, the parties desire to amend the Contract to increase the Contract amount by \$100,000, for a maximum Contract amount of \$250,000; and

WHEREAS, the schedule of services of the Contract will be modified to include services as follows:

- Overall Project Application Review to Date;
- Review Overall County Administrative Record to Date;
- Review and Assist in Responding to any Project inquiries;
- Review and Assist in Preparing any Supplemental Memoranda for the FEIR Record if necessary;
- On Demand Coordination with County, EIR Consultant, and Idaho Maryland Mine Team;
- Review and assist in preparation of any Final EIR Supplemental

Materials if necessary;

- Review and assist in the preparation of all California Environmental Quality Act Findings;
- Review and assist in the preparation of the Conditional Use Permit Findings;
- Prepare and participate in the preparation of Planning Commission Hearings;
- Prepare and participate in the preparation of Board of Supervisors Hearings; and
- Any other necessary tasks as determined by Nevada County to comply with all Local, State, and Federal Laws associated with the Idaho Maryland Mine Project.

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

1. Section 2, Maximum Contract Price, is hereby increased by \$100,000, for a maximum Contract amount of \$250,000;
2. Section 3, Contract Termination Date, is hereby extended to June 30, 2024;
3. Exhibit A, Schedule of Services, shall be amended as written above;
4. That in all other respects the prior Contract of the parties shall remain in full force and effect except as amended herein.

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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

CONTRACTOR:

By: _____
Hon. Ed Scofield
Chair, Board of Supervisors

By: _____
Diane Kinderman, Partner
Abbot & Kindermann, Inc.

ATTEST:

APPROVED AS TO FORM:

By: _____
Julie Patterson-Hunter
Clerk of the Board

By: _____
Katharine L. Elliott
County Counsel