

**AMENDMENT TO BOARD OF SUPERVISORS
AGREEMENT NO. 15-071**

This Amendment to BOS Agreement No. 15-071 is entered into this 19TH day of March, 2019, by and between the COUNTY OF MENDOCINO, a political subdivision of the State of California, hereinafter referred to as "COUNTY" and COLD CREEK COMPOST, INC., hereinafter referred to as "CONTRACTOR".

WHEREAS, BOS Agreement No. 15-071 was entered into on July 7, 2015; and

WHEREAS, upon execution of this document by the Chair of the Mendocino County Board of Supervisors and COLD CREEK COMPOST, INC., this document will become part of the aforementioned contract and shall be incorporated therein; and

WHEREAS, it is the desire of CONTRACTOR and COUNTY to replace Section 13 set out in the original BOS Agreement No. 15-071 in its entirety; and

NOW, THEREFORE, we agree Section 13 shall be replaced to read as follows:

1. 13. Effective March 19, 2019, Cold Creek shall charge County Franchisees \$36.00 per ton for Mixed Organic Waste, adjusted up or down on each subsequent January 1 by a percentage factor equal to 0.9 of the change of the All Urban Consumers Consumer Price Index (CPI-U), all items, for the San Francisco-Oakland-San Jose, CA, Base Period 1982-1984 = 100, not seasonally adjusted, compiled and published by the U.S. Department of Labor, Bureau of Labor Statistics or its successor, and its value twelve months before.

All other terms and conditions of BOS Agreement No. 15-071 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

DEPARTMENT FISCAL REVIEW:

[Signature] 3/7/19
DEPARTMENT HEAD DATE

Budgeted: Yes No

Budget Unit: N/A

Line Item: _____

Grant: Yes No

Grant No.: N/A

CONTRACTOR/COMPANY NAME:

By: [Signature]

NAME AND ADDRESS OF CONTRACTOR:

Cold Creek Compost, INC.

6000 Potter Valley Road

Ukiah, CA 95482

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

COUNTY OF MENDOCINO

By: [Signature]
CARRE BROWN, Chair
BOARD OF SUPERVISORS
MAR 20 2019

ATTEST:

CARMEL J. ANGELO, Clerk of said Board

By: [Signature]
Deputy
MAR 20 2019

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

CARMEL J. ANGELO, Clerk of said Board

By: [Signature]
Deputy
MAR 20 2019

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

KATHARINE L. ELLIOTT,
County Counsel

By: [Signature]
Deputy

INSURANCE REVIEW:

By: [Signature]
Risk Management

EXECUTIVE OFFICE/FISCAL REVIEW:

APPROVAL RECOMMENDED

By: [Signature]
Deputy CEO

Signatory Authority: \$0-25,000 Department; \$25,001-50,000 Purchasing Agent; \$50,001+ Board of Supervisors

Exception to Bid Process Required/Completed _____

Mendocino County Business License: Valid

Exempt Pursuant to MCC Section: _____