

MODIFICATION NO. 4 TO AGREEMENT FOR SERVICES WITH
ZONE 7

This modification No. 4 ("Modification No. 4") is made as of 6/5, 2012, (the "Effective Date") by and between the County of Alameda ("COUNTY"), and ZONE 7 of the Alameda County Flood Control and Water Conservation District ("Zone 7") with respect to that agreement to provide certain flood control maintenance services, dated May 24, 2011, referred to herein as the "Agreement".

RECITALS

Whereas, for many years the County and Zone 7 have worked cooperatively together on flood control projects located within the boundaries of Zone 7;

Whereas, under the terms of the Agreement as well as predecessor agreements, those projects have been designed, engineered and supervised by Zone 7, with the County providing labor because the County can provide that service more economically than other providers;

Whereas, the County is pleased with and supports Zone 7's efforts to manage flood risk;

Whereas, the Agreement enables the County to provide assistance to Zone 7 during a flood event, provided that other areas within the County are not thereby endangered; and

Whereas, COUNTY and ZONE 7 desire to extend the term of the Agreement from July 1, 2012 to June 30, 2013, to provide for the continued provision of services by COUNTY and for additional compensation to be paid to COUNTY by ZONE 7 increasing the amount from \$1,200,000 to \$1,600,000 an increase not to exceed \$400,000 for such services;

NOW, THEREFORE, COUNTY and ZONE 7 agree as follows:

1. The term of the Agreement shall be extended from July 1, 2012 to June 30, 2013 (the "Extension Term").
2. During the Extension Term, COUNTY shall continue providing services described in the Agreement and ZONE 7 shall pay COUNTY for such services in an amount which shall not exceed \$400,000.
3. All provisions of the Agreement, except as modified by this Modification, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Modification on the dates shown below their respective authorized signatures.

EXECUTION

ZONE 7 of the Alameda County Flood
Control and Water Conservation District

By: 

Title: G.F. Duerig
General Manager

County of Alameda

By: 

President, Board of Supervisors,
County of Alameda, State of California

Approved as to form
Donna Ziegler, County Counsel

By: 
Deputy

I hereby certify under penalty of perjury that the President of the Board of Supervisors was duly authorized to execute this document on behalf of the County of Alameda by a majority vote of the Board on 6/5/12; and that a copy has been delivered to the President as provided by Government Code Section 25103. Dated: 6/8/12

ATTEST: Clerk, Board of Supervisors,
County of Alameda, State of California

By James
Deputy

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.