



SECOND ADDENDUM TO AGREEMENT

BY AND BETWEEN THE
COUNTY OF MARIN AND Lilburn Corporation DATED _____

THIS SECOND ADDENDUM is made and entered into this on May 2, 2006, by and between the COUNTY OF MARIN, a political subdivision of the State of California (hereinafter referred to as "County") and LILBURN CORPORATION(hereinafter referred to as "Contractor")

RECITALS

WHEREAS, the County and the Contractor entered into an agreement for **seismic and noise monitoring services to collect data at the San Rafael Rock Quarry dated August 24, 2004, and amended on January 25, 2005, ("Agreement");** and

WHEREAS, **Sections 4, 6, and 14 regarding maximum cost to the County and Time of Agreement, and Exhibit 'B' Fees** to the agreement obligated Contractor to; **to a maximum cost of \$76,300 (as amended) and to terminate the agreement on June 30, 2006, and the County to be billed based on the fee schedule in Exhibit 'B'**

and

WHEREAS, the parties desire to amend the agreement to **increase the maximum costs, extend the termination date to December 31, 2006, and revise the fee schedule (Exhibit 'B') to the current rates,**

NOW, THEREFORE, the parties agree to modify **Sections 3, 6 and 14, and Exhibit 'B'** as set forth below.

AGREEMENT

1. Except as otherwise provided herein all terms and conditions of the agreement shall remain in full force and effect.
2. Updated Certificate of Insurance(s) attached hereto.
3. Sections 3, 6 and 14, and Exhibit 'B' is/are hereby amended to read as follows:

Section 4: The maximum cost shall be increased to \$121, 300.00. Section 6: All work required for this Contract shall be completed and ready for acceptance no later than December 31, 2006. Section 14: This Agreement shall commence on August 24, 2004 and shall terminate on December 31, 2006. Attached is a revised Exhibit 'B'.

IN WITNESS WHEREOF, the parties hereto have executed this SECOND Addendum on the day first written above.

CONTRACTOR:

COUNTY OF MARIN:

By: _____

APPROVED AS TO FORM: (if changes to the Contract form language have been made)

County Counsel