



ORIGINAL

Contract Number

16-504 A-1

SAP Number

Real Estate Services Department

Department Contract Representative	Terry W. Thompson, Director
Telephone Number	(909) 387-5252
Contractor	Burr Group, Inc.
Contractor Representative	Tracy Sweeney, Chief Operations Officer/Vice President
Telephone Number	(909) 429-4200
Contract Term	7/1/2016 – 6/30/2026
Original Contract Amount	\$49,800.00
Amendment Amount	\$57,720.00
Total Contract Amount	\$107,520.00
Cost Center	
GRC/PROJ/JOB No.	69002939
Internal Order No.	

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, the County of San Bernardino ("COUNTY"), as licensor, and Burr Group, Inc. ("LICENSEE"), as licensee, have previously entered into License Agreement, Contract No. 16-504 dated June 28, 2016 ("License"), wherein COUNTY agreed to license certain premises of approximately 21,780 square feet of land located within the COUNTY's Crestline Yard in Crestline, as more specifically set forth in the License, to the LICENSEE for a term that is currently scheduled to expire on June 30, 2021; and,

WHEREAS, the COUNTY and LICENSEE now desire to amend the License to reflect the LICENSEE's exercise of its existing one (1) five-year option to extend the term of the License for the period of July 1, 2021 through June 30, 2026, adjust the license fee schedule, and amend certain other terms of the License as more specifically set forth in this amendment (the "First Amendment").

NOW, THEREFORE, in consideration of mutual covenants and conditions, the parties hereto agree the License is amended as follows:

1. Effective July 1, 2021, pursuant to LICENSEE's exercise of its existing option under Paragraph 3, OPTION TO EXTEND TERM, EXTEND the term of the License as provided in **Paragraph 2, TERM**, for five (5) years from July 1, 2021 through June 30, 2026 (the "First Extended Term").

2. Effective July 1, 2021, DELETE in its entirety the existing **Paragraph 4. LICENSE FEES**, and SUBSTITUTE therefore the following as a new **Paragraph 4. LICENSE FEES**:

4. **LICENSE FEES:**

A. LICENSEE shall pay to COUNTY the following monthly license fees in advance on the first day of each month, commencing when the First Extended Term commences and continuing during the First Extended Term, subject to an approximate three percent (3%) annual increases, as more specifically reflected and included in the amounts set forth below:

License Year	Total Monthly Payments
July 1, 2021 thru June 30, 2022	\$906
July 1, 2022 thru June 30, 2023	\$933
July 1, 2023 thru June 30, 2024	\$961
July 1, 2024 thru June 30, 2025	\$990
July 1, 2025 thru June 30, 2026	\$1020

Remit monthly License Fee direct to:

County of San Bernardino
Department of Public Works, Solid Waste Management Division
222 W. Hospitality Lane, 2nd Floor
San Bernardino, CA 92415-0017
Attention: Fiscal Services

B. If any annual license fee payment or other sums due are not paid when due and payable, LICENSEE shall pay to COUNTY an additional One Hundred and No/100 Dollars (\$100.00) for each annual license fee payment or other sums due as an administrative processing charge. The parties agree that this late charge represents a fair and reasonable estimate of the costs that COUNTY will incur by reason of late payment by LICENSEE. Acceptance of any late charge shall not constitute a waiver of LICENSEE's default with respect to the overdue amount or prevent COUNTY from exercising any of the other rights and remedies available to COUNTY. Annual license fee payments and other sums not paid when due shall bear simple interest from date due at the rate of one and one-half percent (1½%) per month.

3. Effective July 1, 2021, DELETE the existing **Paragraph 36, NOTICES**, and SUBSTITUTE therefore the following as a new **Paragraph 36, NOTICES**:

36. **NOTICES:** Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other party shall be in writing and either served personally, delivered by a reputable overnight courier service, or sent by postage prepaid, first-class United States mail, certified or registered, return receipt requested. Any notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other party shall be addressed to the other party at the addresses set forth below. Either party may change its address by notifying the other party of the change of address. Notices shall be deemed delivered upon the earlier of: (i) actual receipt if such notice is personally delivered; (ii) the date of delivery if such notice is delivered by a reputable overnight courier service; or (iii) the date of delivery or refusal of the addressee to accept delivery if such notice is sent by postage pre-paid, first-class United States mail, certified or registered, return receipt requested. Any notices received after 5 pm local time on a business shall be deemed delivered on the following business day.

LICENSEE's Notice Address:

Burr Group, Inc.
9890 Cherry Avenue
Fontana, CA 92335

COUNTY'S Notice Address:

County of San Bernardino
Department of Public Works, Solid Waste Management Division
222 W. Hospitality Lane, 2nd Floor
San Bernardino, CA 92415-0017

With a copy to:

County of San Bernardino
Real Estate Services Department
385 N. Arrowhead Avenue, Third Floor
San Bernardino, CA 92415-0180

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4. All other provisions and terms of this License shall remain the same and are hereby incorporated by reference. In the event of any conflict between the License and this First Amendment, the terms of this First Amendment shall control.

END OF FIRST AMENDMENT.

COUNTY OF SAN BERNARDINO



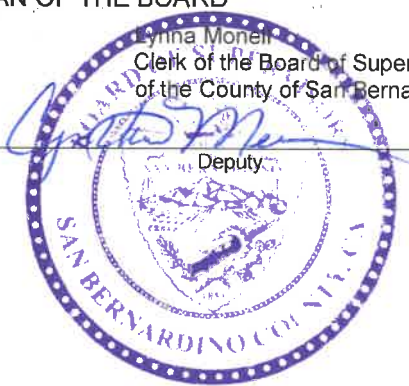
Curt Hagman, Chairman, Board of Supervisors

Dated: **MAY 18 2021**

SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

Lynna Monen
Clerk of the Board of Supervisors
of the County of San Bernardino

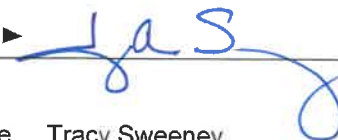
By



Deputy

BURR GROUP, INC.

By



Name Tracy Sweeney

Title Chief Operations Officer/Vice President

Dated:

5/17/21

Approved as to Legal Form

►

Agnes Cheng, Deputy County Counsel

Date **4/27/2021**

Reviewed for Contract Compliance

►

Date

Reviewed/Approved by Department

►


Jim Miller, Real Property Manager, RESD

Date

5/10/21