

**COUNTY OF TULARE  
SERVICES AGREEMENT  
REAL ESTATE BROKERAGE SERVICES  
SECOND AMENDMENT TO TULARE COUNTY AGREEMENT NO. 29350**

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THIS SECOND AMENDMENT TO AGREEMENT ("Second Amendment") is entered into as of June 29, 2021, 2021 between the COUNTY OF TULARE, a political subdivision of the State of California ("COUNTY") and MD GRAHAM AND ASSOCIATES, INC., a California Corporation ("CONTRACTOR"). COUNTY and CONTRACTOR are each a "Party" and together are the "Parties" to this Agreement, which is made with reference to the following:

- A. WHEREAS, COUNTY previously accepted CONTRACTOR'S proposal for real estate brokerage services; and
- B. WHEREAS, the Parties entered Tulare County Agreement No. 28804 effective September 1, 2018 to June 30, 2019, with two (2), one (1) year periods to renew subject to mutual written consent of both Parties for brokerage services.
- C. WHEREAS, the Parties entered into Tulare County Agreement No. 29350 effective July 1, 2019 and ending on June 30, 2020 with one (1), one (1) year extension to the Agreement.
- D. WHEREAS, the Parties amended the Agreement on May 5, 2020 extending the term for one (1) year effective July 1, 2020 and ending on June 30, 2021.
- E. WHEREAS, COUNTY accepted a second proposal from the CONTRACTOR for real estate brokerage services.
- F. WHEREAS, the parties desire to amend Tulare the Agreement extending the term effective July 1, 2021 and ending on June 30, 2022 and include language for expenses in excess of CONTRACTOR's standard costs associated with marketing real property.

**THE PARTIES AGREE AS FOLLOWS:**

Section 1 of the Agreement is amended as follows:

- 1. **TERM:** This term of the Agreement is extended for one (1) year effective as of July 1, 2021 and will expire on June 30, 2022, unless terminated pursuant to Section 5 of this Agreement. The Agreement may be extended for two (2), one (1) year terms by mutual written consent.

This Second Amendment hereby adds Section 9 to the Agreement which reads as follows and is incorporated into the Agreement with the execution of this Second Amendment:

- 9. **ADDITIONAL EXPENSES:** CONTRACTOR is authorized, with COUNTY's prior written approval, to hire other contractors, including but not limited to, architects or engineers to assist CONTRACTOR with activities related to the marketability of COUNTY's properties in order to market COUNTY's properties. CONTRACTOR shall promptly invoice and COUNTY shall promptly reimburse CONTRACTOR within thirty (30) days of CONTRACTOR'S payment to any aforementioned outside professional service. COUNTY shall not be responsible for any late fees or interest caused by late payment of the CONTRACTOR.

Except as amended, all other terms and conditions of the Agreement shall remain in full force and effect.

**TULARE COUNTY AGREEMENT NO. 29350-B**

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SERVICES AGREEMENT  
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THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

CONTRACTOR  
MD GRAHAM AND ASSOCIATES, INC.

Date: \_\_\_\_\_

DocuSigned by:  
Matthew D Graham  
By: \_\_\_\_\_  
3202288-4048C45C  
Matthew D  
Print Name: Graham  
President  
Title: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_

[Note: Corporations Code §313 requires that contracts with a corporation shall be signed by the (1) chairman of the Board, the president or any vice-president and (2) the secretary, any assistant, the chief financial officer, or any assistant treasurer; unless the contract is also accompanied by a certified copy of the Board of Directors resolution authorizing the execution of the contract. Similarly, pursuant to California Corporations Code section §17703.01, County policy requires that contracts with a Limited Liability Company be signed by at least two managers, unless the contract is accompanied by a certified copy of the article of organization stating that the LLC is managed by only one manager]

COUNTY  
COUNTY OF TULARE

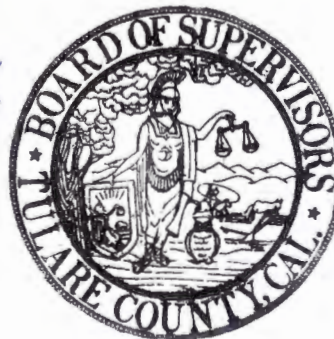
By: *Anthony Shuckler*  
Chair, Board of Supervisors

ATTEST: JASON T. BRITT  
County Administrative Officer/ Clerk of  
the Board of Supervisors

By: *Mercedes Camacho*  
Deputy

Approved as to Form by  
County Counsel

By: *A. Zakeen*  
Matter ID: 2021622



**Exhibit 1**

**REAL ESTATE BROKERAGE RFP TALLY SHEET**

	THE WHITLATCH GROUP	MD GRAHAM & ASSOCIATES
EVALUATOR 1	95	75
EVALUATOR 2	87	100
EVALUATOR 3	94	96
EVALUATOR 4	100	95
EVALUATOR 5	95	98
INTERVIEWER 1	48	95
INTERVIEWER 2	37	86
INTERVIEWER 3	61	96
<b>TOTAL (possible points 800)</b>	<b>617</b>	<b>741</b>