

**AMENDMENT NO. 1 TO THE PARTICIPATING ADDENDUM**  
**for**  
**Public Utility Equipment and Related Accessories and Supplies**

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Participating Entity:  
**CONTRA COSTA COUNTY**

Contractor: Terex Utilities, Inc.

This Amendment No. 1 (“Amendment”) to the Participating Addendum, dated July 8, 2025 (“Agreement”) is made and entered into as of December 28, 2025 (“Amendment Effective Date”), by and between Contra Costa County, a political subdivision of the State of California (“County”), and Terex Utilities, Inc., an Oregon corporation (hereinafter referred to as “Contractor”), whose principal place of business is 3140 15<sup>th</sup> Avenue SE, Watertown, SD 57201. The County and Contractor are sometimes referred to herein together as the “Parties,” and each as a “Party.”

Recitals

Whereas, Contractor sells public utility equipment and related accessories and supplies under a cooperative purchasing agreement, identified as Contract No. 110421-TER (“Master Contract”), awarded by Sourcewell, a State of Minnesota public agency, following a competitive solicitation.

Whereas, the County and the Contractor entered into the Agreement to allow the County to make purchases from the Contractor under the terms of the Master Contract. The Master Contract was set to expire December 27, 2025, and the Agreement was set to expire the same day.

Whereas, the term of the Master Contract was extended by one year, through December 27, 2026, and the Parties desire to extend the term of the Agreement by the same amount of time.

Whereas, on September 22, 2025, Contractor’s registration with the State of California, Secretary of State was terminated, which must be cured for the Contractor to transact business in the State of California.

Amendment

NOW, THEREFORE, for good and valuable consideration the receipt and adequacy of which are hereby acknowledged, the Contractor and the County agree to amend the Agreement, as follows:

1. Term. Section 1 (Term) of the Agreement is deleted in its entirety and replaced with new Section 1, to read:

“1. Term. The term of this Agreement begins on the Effective Date, and it expires on December 27, 2026. If the term of the Master Contract is extended, the County and the Contractor may agree to extend this Agreement by up to the same amount of time. Any extension of the term of this Agreement is subject to the prior approval of the County’s Board of Supervisors, its governing body. If the Master Contract is terminated prior to the expiration of the term of this Agreement, the Contractor shall continue to perform under this Agreement until the term of this Agreement expires.”

2. Registration with Secretary of State. Within 30 days following the Amendment Effective Date, the Contractor shall provide the County’s Purchasing Agent confirmation that Contractor is

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registered and in good standing with the State of California, Secretary of State, authorizing the Contractor to do business in California.

3. Remainder Unchanged. Except to the extent that the Agreement is expressly modified by this Amendment, the remainder of the Agreement remains unchanged and in full force and effect.

IN WITNESS, WHEREOF, the parties have executed this Participating Addendum as of the Effective Date.

|                                                     |                                             |
|-----------------------------------------------------|---------------------------------------------|
| Participating Entity:<br><b>Contra Costa County</b> | Contractor:<br><b>Terex Utilities, Inc.</b> |
| Signature:                                          | Signature:                                  |
| Name:<br>Cynthia Shehorn                            | Name:                                       |
| Title:<br>Procurement Services Manager              | Title:                                      |
|                                                     | Signature:                                  |
|                                                     | Name:                                       |
|                                                     | Title:                                      |

Approved as to form:

Thomas L. Geiger, County Counsel

By: \_\_\_\_\_  
Assistant County Counsel