

Contract Number

25-318 A-1

SAP Number

BOARD GOVERNED COUNTY SERVICE AREAS

Department Contract Representative	Vladimir Reyes
Telephone Number	386-8846

Contractor	Downing Construction, Inc.
Contractor Representative	Michelle LaVanWay
Telephone Number	797-7444
Contract Term	NTP+330 Calendar Days
Amendment No. 1 Contract Terms	NTP+333 Calendar Days
Original Contract Amount	\$7,921,118.00
Amendment Amount	\$283,922.45
Total Contract Amount	\$8,205,040.45
Cost Center	30.30.0191
Grant Number (if applicable)	

IT IS HEREBY AGREED AS FOLLOWS:

**AMENDMENT NO. 1
CONTRACT NO. 25-318**

WHEREAS, on May 20, 2025 (Item No. 105), the San Bernardino County Board of Supervisors (Board) approved Contract No. 25-318 (Contract) between County Service Area 70 Countywide (District) and Downing Construction, Inc. (Contractor), to perform the construction services for the Arrow Route Sewer Main Project (Project); and

WHEREAS, since the execution of Contract 25-318 the Project has encountered plan revisions resulting in a delay in issuing the notice to proceed, resulting in material changes and labor rate escalations, adding costs to the Project; and

WHEREAS, Contractor has reviewed the District's requested additional work and agrees to perform it for the additional compensation and time set forth below,

NOW, THEREFORE, in consideration of the terms, covenants, promises, representations, and conditions contained herein, and for other good and valuable consideration, the receipt, sufficiency, and adequacy of which

are hereby acknowledged by each of the Parties, the Parties and each of them, hereby represent and agree the Contract is hereby amended as follows:

1. The Recitals set forth above are true and correct and incorporated herein by this reference.
2. **ARTICLE III, TIME FOR PERFORMANCE, 3.1 CONTRACT TIME**, is deleted and replaced with the following:

The Date of Commencement of the Work shall be fixed in a Notice to Proceed issued by the District. If District's issuance of a Notice to Proceed is delayed due to Contractor's failure to provide insurance documents or bonds within ten (10) calendar days after the date of award of the Contract by the Board of Supervisors or Chief Executive Officer, one (1) calendar day will be deducted from the number of days to achieve Final Completion of the Work for every day of delay in District receipt of such documents. This right is in addition to and does not affect District's right to demand forfeiture of Contractor's Bid Security, or any other rights or remedies available to District if Contractor persistently delays in providing the required documentation. Contractor agrees to promptly commence the Work after the Notice to Proceed is issued by the District and to achieve Final Completion of the entire Work within **333 calendar days** after the Date of Commencement ("Contract Time"). The Contract Time may be extended only by the written authorization of the District.

2. **ARTICLE IV, CONTRACT SUM, 4.1 CONTRACT SUM, 4.1.1** is deleted and replaced with the following:

Total Compensation. District shall pay the Contractor, and Contractor agrees to accept, in current funds for the Contractor's complete performance of the Work in accordance with the Contract Documents the Contract Sum of:

TOTAL BASE ITEMIZED BID (Items 1-14)	\$6,106,339
ADDITIVE BID No.1 (Items 1-5)	\$ 16,215
ADDITIVE BID No. 2 (Item 1-7)	\$ 914,277
ADDITIVE BID No. 3 (Item 1-7)	\$ 884,287

**TOTAL BASE BID + ADDITIVE BID NO. 1 +
ADDITIVE BID No. 2 + ADDITIVE BID No. 3** **\$7,921,118**

Amendment No. 1, dated March 24, 2026, as follows:

1. **COR No. 1:**
 - a. **Design revisions resulting from IEUA review...**\$76,055.34
 - b. **Addition of Monitoring Manhole.....**\$43,055.10
 - c. **City of Fontana Tax Increase of 1%.....**\$6,027.69
 - d. **Asphalt Concrete and Escalation Costs.....** \$39,712.52
 - e. **Prevailing Wage Rate Escalations.....**\$119,071.80

TOTAL OF AMENDMENT NO. 1.....\$283,922.45

NEW AMENDED TOTAL CONTRACT SUM**\$8,205,040.45**

3. All other terms and conditions of the amended Contract shall remain unchanged.
4. This Amendment No. 1 to the Contract shall take effect on the date it is signed and approved by authorized officers of both Parties.
5. All other terms and conditions of Contract No. 25-318 remain in full force and effect.
6. This Amendment may be executed in any number of counterparts, each of which so executed shall be deemed to be an original, and such counterparts shall together constitute one and the same Contract.

The parties shall be entitled to sign and transmit an electronic signature of this Amendment (whether by facsimile, PDF or other email transmission), which signature shall be binding on the party whose name is contained therein. Each party providing an electronic signature agrees to promptly execute and deliver to the other party an original signed Amendment upon request.

IN WITNESS WHEREOF, the Board of Supervisors, acting as the Governing Body of County Service Area 70 Countywide and the Contractor have each caused this Amendment to be subscribed by its respective duly authorized officers, on its behalf.

COUNTY SERVICE AREA 70 COUNTYWIDE

►

 Dawn Rowe, Chair

Dated: _____
 SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD
 Lynna Monell
 Clerk of the Board

By _____
 Deputy

Downing Construction, Inc.

 (Print or type name of corporation, company, contractor, etc.)

By ► _____
 (Authorized signature - sign in blue ink)

Kevin Ellis
 Name _____
 (Print or type name of person signing contract)

Title President

 (Print or Type)

Dated: _____

Address _____

FOR COUNTY USE ONLY

Approved as to Legal Form

 Sophie Curtis, Deputy County Counsel
 Date _____

Reviewed for Contract Compliance

 Noel Mondragon, Division Manager
 Date _____

Reviewed/Approved by Department

 David Doublet, Assistant Director
 Date _____