



Contract Number

23-902 A-1

SAP Number

4400022731

**San Bernardino County
Flood Control District**

Department Contract Representative	<u>Sameh Basta</u>
Telephone Number	<u>(909) 387-8040</u>
Contractor	<u>ASAP Construction, Inc.</u>
Contractor Representative	<u>Lisa Kellar</u>
Telephone Number	<u>(909) 371-2240</u>
Contract Term	<u>August 22, 2023-June 30, 2027</u>
Original Contract Amount	<u>\$2,000,000</u>
Amendment Amount	<u></u>
Total Contract Amount	<u>\$2,000,000</u>
Cost Center	<u>1970002510</u>

IT IS HEREBY AGREED AS FOLLOWS:

Amendment No. 1 to Contract No. 23-902

San Bernardino County Flood Control District ("District") and ASAP Construction, Inc. ("Contractor"), hereby seek to enter into this Amendment No. 1 ("Amendment") to amend Contract No. 23-902 as follows:

1. DELETE Appendix A Service Schedules and REPLACE with Appendix A Service Schedules attached to this amendment.
2. All other terms and conditions of Agreement No. 23-902 shall remain unchanged.
3. This Amendment No. 1 shall take effect on the date it is last signed by both parties.
4. 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 Amendment. The parties shall be entitled to sign and transmit an electronic signature of this Amendment (whether by facsimile, PDF, and other email transmission), which signature shall be

binding on the party whose name is contained therein. Each party providing and electronic signature agrees to promptly execute and deliver to the other party an original signed Amendment upon request.

IN WITNESS WHEREOF, the District and Contractor have each caused this amendment to be subscribed by their respective dully authorized officers, on their behalves.

SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT

►

Dawn Rowe, Chair, Board of Supervisors

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 of Supervisors

By _____
Deputy

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

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

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

Title _____
(Print or Type)

Dated: _____

Address _____

FOR COUNTY USE ONLY

Approved as to Legal Form
►

Sophie A. Curtis, Deputy County Counsel
Date _____

Reviewed for Contract Compliance
►

Andy Silao, P.E.
Date _____

Reviewed/Approved by District
►

Noel Castillo, Chief Flood Control Engineer
Date _____

Appendix A

D-1: GENERAL EQUIPMENT SCHEDULE

Vendor Name: ASAP Construction, Inc.

Please check all that apply:	Foothills		High Desert		Low Desert		Mountains		Valley	
	Bare	OM								
Air Compressor	<input type="checkbox"/>	<input type="checkbox"/>								
Arrow Board	<input type="checkbox"/>	<input type="checkbox"/>								
Backhoe	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Concrete Pump	<input type="checkbox"/>	<input type="checkbox"/>								
Crack Seal Melter	<input type="checkbox"/>	<input type="checkbox"/>								
Crane	<input type="checkbox"/>	<input type="checkbox"/>								
Dozer	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Excavator	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Flail Mower	<input type="checkbox"/>	<input type="checkbox"/>								
Generator	<input type="checkbox"/>	<input type="checkbox"/>								
Hand Tamper	<input type="checkbox"/>	<input type="checkbox"/>								
Hydraulic Hammer	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Hydro Axe	<input type="checkbox"/>	<input type="checkbox"/>								
Hydrovactor	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Jackhammer	<input type="checkbox"/>	<input type="checkbox"/>								
Light Tower	<input type="checkbox"/>	<input type="checkbox"/>								
Loader	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Message Board- Changeable/Programable	<input type="checkbox"/>	<input type="checkbox"/>								
Motor Grader	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Mower-Boom Mower	<input type="checkbox"/>	<input type="checkbox"/>								
Scraper, push & pull	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Sheep Foot Tow	<input type="checkbox"/>	<input type="checkbox"/>								
Skid Steer	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Trash Pump	<input type="checkbox"/>	<input checked="" type="checkbox"/>								
Trench Equipment	<input type="checkbox"/>	<input type="checkbox"/>								
Power Screener	<input type="checkbox"/>	<input type="checkbox"/>								

Opt out of receiving bid notifications for this equipment.

Representative Signature: _____

Print Name: _____ Date: _____

D-2: PAVING SCHEDULE

Vendor Name: ASAP Construction Inc

Please check all that apply:	Asphalt Emulsion Distributor Truck	*Berm Builders	Cold Planers	*Paving Machines			Rollers	
				Track Type	Wheel Type	Asphalt Spreader (Bare)	Vibratory Steel Drum	Pneumatic
Bare	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Operated/Maintained	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>

Service Area								
Foothills	<input type="checkbox"/>							
High Desert	<input type="checkbox"/>							
Low Desert	<input type="checkbox"/>							
Mountains	<input type="checkbox"/>							
Valley	<input type="checkbox"/>							

* Paving Machines must be self-propelled & include 1 operator and 2 screed operators, if operated & maintained.

*Berm Builders: AC & Traversable dikes must meet County Standards and Specifications, Drawing # 115, 116, and 117.

Opt out of receiving bid notifications for this equipment.

Representative Signature: _____

Print Name: _____ Date: _____

D-3: SNOW REMOVAL SCHEDULE

Vendor Name: ASAP Construction Inc

Equipment Type	Size	Requirements	HP	Bare	OM
Motor Graders	12'-14'	mold board& front push blade, AWD	125hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	12'-14'	mold board	125hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	12'-14'	mold board & front push blade, AWD	150hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	12'-14'	mold board	150hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Snow Blower			100hp	<input type="checkbox"/>	<input type="checkbox"/>
Wheel Loaders	2-1/4 CY	Bucket	100hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	3-1/2 CY	Bucket	170hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	5-1/2 CY	Bucket	250hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	3 CY	Bucket	140hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	4-1/2 CY	Bucket	200hp	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		w/hydraulic angel blade	140hp	<input type="checkbox"/>	<input type="checkbox"/>
		w/hydraulic angel blade	200hp	<input type="checkbox"/>	<input type="checkbox"/>
		w/hydraulic angel blade	100hp	<input type="checkbox"/>	<input type="checkbox"/>
		w/hydraulic angel blade	170hp	<input type="checkbox"/>	<input type="checkbox"/>
		w/hydraulic angel blade	250hp	<input type="checkbox"/>	<input type="checkbox"/>

Service Area

Fontana	<input checked="" type="checkbox"/>
West Valley	<input checked="" type="checkbox"/>
Baker	<input checked="" type="checkbox"/>
Baldy Mesa/Phelan	<input checked="" type="checkbox"/>
Big Bear	<input checked="" type="checkbox"/>
Blue Jay	<input checked="" type="checkbox"/>
Crestline	<input checked="" type="checkbox"/>
East Valley	<input checked="" type="checkbox"/>
Joshua Tree	<input checked="" type="checkbox"/>
Running Springs	<input checked="" type="checkbox"/>
San Bernardino	<input checked="" type="checkbox"/>
Twenty-nine Palms	<input checked="" type="checkbox"/>
Wrightwood	<input checked="" type="checkbox"/>
Forest Falls	<input checked="" type="checkbox"/>
Oak Glen	<input checked="" type="checkbox"/>
Angeles Oaks	<input checked="" type="checkbox"/>

Check all that apply to equipment	
Trained and Licensed operators	<input checked="" type="checkbox"/>
All-Wheel Drive and Chains	<input checked="" type="checkbox"/>
Operator Cabs with Heater	<input checked="" type="checkbox"/>
Work Lights, Flashes or Strobes	<input checked="" type="checkbox"/>
Back up Alarms	<input checked="" type="checkbox"/>
Wipers, Seat Belts	<input checked="" type="checkbox"/>
Rollover Protection Devices (ROPS)	<input checked="" type="checkbox"/>
Smooth Cutting Edges	<input checked="" type="checkbox"/>
Street Legal	<input checked="" type="checkbox"/>

Opt out of receiving bid notifications for this equipment.

Authorized Representative Signature:

_____ **Date:** _____

Print Name:

D:4 STREET SWEEPER SCHEDULE

Vendor Name: ASAP Construction Inc

Street Sweeper Specifications: Vendors operating within the jurisdiction of the South Coast Air Quality Management District (AQMD) must comply with AQMD Rules 1186 and 1186.1.

Please provide the following AQMD 1186 and 1186.1 compliant Street Sweeper Information:

Make & Model	Fuel Type	License Number	Unit Number
Freightliner XBroom	Diesel	E619077	53
Freightliner XBroom	Diesel	E709673	82
Freightliner Schwartz Zepher	CNG	E709722	3038

Street Sweeper 3-5 CY					
Service Area (Check all that apply)	Foothills	High Desert	Low Desert	Mountains	Valley
High Dump	<input checked="" type="checkbox"/>				
Side Dump	<input checked="" type="checkbox"/>				
High Dump w/ Rear Roller Assembly	<input checked="" type="checkbox"/>				
Low Dump w/ Rear Roller Assembly	<input checked="" type="checkbox"/>				

* Areas subject to AQMD 1186 and 1186.1 equipment.

Opt out of receiving bid notifications for this equipment.

Authorized Representative Signature: _____ **Date:** _____

Print Name: _____

D-5: TRUCK HAULING SCHEDULE

Vendor Name: ASAP Construction Inc

Truck Type	Foothills	High Desert	Low Desert	Mountains	Valley
Bottom Dump	<input checked="" type="checkbox"/>				
Dump Trucks	<input checked="" type="checkbox"/>				
Dump Truck Spreader Bar/Chip Bar	<input type="checkbox"/>				
Dump Truck Off Road	<input type="checkbox"/>				
End Dump Low Sides	<input checked="" type="checkbox"/>				
22-Yard Super Dump	<input type="checkbox"/>				
Low Bed & Tractor	<input checked="" type="checkbox"/>				
Truck & Transfer Trailer	<input checked="" type="checkbox"/>				
Water Truck 3,000-4,000 Gallons 6X4	<input checked="" type="checkbox"/>				
Water Truck 3,000-4,000 Gallons 6X6	<input checked="" type="checkbox"/>				

Explanation:

Opt out of receiving bid notifications for this equipment.

Authorized Representative Signature: _____ **Date:** _____

Print Name: _____

ATTACHMENT D

Campaign Contribution Disclosure (SB 1439)

DEFINITIONS

Actively supporting the matter: (a) Communicate directly with a member of the Board of Supervisors or other County elected officer [Sheriff, Assessor-Recorder-Clerk, District Attorney, Auditor-Controller/Treasurer/Tax Collector] for the purpose of influencing the decision on the matter; or (b) testifies or makes an oral statement before the District in a proceeding on the matter for the purpose of influencing the District's decision on the matter; or (c) communicates with District employees, for the purpose of influencing the District's decision on the matter; or (d) when the person/company's agent lobbies in person, testifies in person or otherwise communicates with the Board or District employees for purposes of influencing the District's decision in a matter.

Agent: A third-party individual or firm who, for compensation, is representing a party or a participant in the matter submitted to the Board of Supervisors. If an agent is an employee or member of a third-party law, architectural, engineering or consulting firm, or a similar entity, both the entity and the individual are considered agents.

Otherwise related entity: An otherwise related entity is any for-profit organization/company which does not have a parent-subsidary relationship but meets one of the following criteria:

- (1) One business entity has a controlling ownership interest in the other business entity;
- (2) there is shared management and control between the entities; or
- (3) a controlling owner (50% or greater interest as a shareholder or as a general partner) in one entity also is a controlling owner in the other entity.

For purposes of (2), "shared management and control" can be found when the same person or substantially the same persons own and manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees, or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a regular and close working relationship between the entities.

Parent-Subsidiary Relationship: A parent-subsidiary relationship exists when one corporation has more than 50 percent of the voting power of another corporation.

Contractors must respond to the questions on the following page. If a question does not apply respond N/A or Not Applicable.

1. Name of Contractor: ASAP Construction, Inc.
2. Is the entity listed in Question No.1 a nonprofit organization under Internal Revenue Code section 501(c)(3)?
 Yes If yes, skip Question Nos. 3-4 and go to Question No. 5 No
3. Name of Principal (i.e., CEO/President) of entity listed in Question No. 1, if the individual actively supports the matter and has a financial interest in the decision: Lisa Keller
4. If the entity identified in Question No.1 is a corporation held by 35 or less shareholders, and not publicly traded ("closed corporation"), identify the major shareholder(s):
Lisa Keller
5. Name of any parent, subsidiary, or otherwise related entity for the entity listed in Question No. 1 (see definitions above):

Company Name	Relationship	

6. Name of agent(s) of Contractor:

Company Name	Agent(s)	Date Agent Retained (if less than 12 months prior)

7. Name of Subcontractor(s) (including Principal and Agent(s)) that will be providing services/work under the awarded contract if the subcontractor (1) actively supports the matter and (2) has a financial interest in the decision and (3) will be possibly identified in the contract with the County or board governed special district.

Company Name	Subcontractor(s):	Principal and//or Agent(s):

8. Name of any known individuals/companies who are not listed in Questions 1-7, but who may (1) actively support or oppose the matter submitted to the Board and (2) have a financial interest in the outcome of the decision:

Company Name	Individual(s) Name

9. Was a campaign contribution, of more than \$250, made to any member of the San Bernardino County Board of Supervisors or other County elected officer within the prior 12 months, by any of the individuals or entities listed in Question Nos. 1-8?

No If **no**, please skip Question No. 10.

Yes If **yes**, please continue to complete this form.

10. Name of Board of Supervisor Member or other County elected officer: _____

Name of Contributor: _____

Date(s) of Contribution(s): _____

Amount(s): _____

Please add an additional sheet(s) to identify additional Board Members or other County elected officers to whom anyone listed made campaign contributions.

By signing the Contract, Contractor certifies that the statements made herein are true and correct. Contractor understands that the individuals and entities listed in Question Nos. 1-8 are prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer while award of this Contract is being considered and for 12 months after a final decision by the County.