

Contract Number
24-1030 A-1

SAP Number
30.30.0144

Board Governed County Service Areas

Department Contract Representative	<u>Russel Vilorio, Project Manager</u>
Telephone Number	<u>386-8823</u>
Contractor	<u>Horizon Construction Co. Int'l, Inc.</u>
Contractor Representative	<u>Kinan Kotrash</u>
Telephone Number	<u>(714) 626-000</u>
Contract Term	<u>NTP + 30 Days</u>
Original Contract Amount	<u>\$267,621.00</u>
Amendment No. 1 Amount	<u>\$(14,860.00)</u>
Total Contract Amount	<u>\$252,761.00</u>
Cost Center	<u>54304030/30.30.0144</u>
Grant Number (if applicable)	<u></u>

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 1

WHEREAS, on October 22, 2024, the San Bernardino County Board of Supervisors (Board) approved the County Contract (Contract) in the amount of \$267,621 between County Service Area 70, Zone R-51 (Old Toll Access Roads) ("District") and Horizon Construction Co. Int'l, Inc. ("Contractor") for the construction of the CSA 70, Zone R-51 (Old Toll Access Roads Project) ("Project"); and

WHEREAS, the District and Contractor desire to lower the total construction price, with no increase to the original contract time, in order for the Contractor to correct itemized bid schedule pricing; and

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. DELETE Contract Section 4.1.1, "Total Compensation", and REPLACE it with a new Section 4.1.1. which shall now read as follows:

4.1.1 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:

BASE ITEMIZED BID (Items 1-7) & ADDITIVE ALTERNATE BID NO.01... \$267,621.00

AMENDMENT No. 1 dated October 22, 2024 \$(14,860.00)

1. Base Bid, Item 4 – Delete scope of work to adjust existing sewer manhole to grade per Sewer Purveyor's requirements (LACSD) in its entirety. Note: Sewer Manhole materials are to be provided by LACSD. in its entirety. Eliminate unit price by \$3,190.00 from \$3,190.00 and quantity by 4 each from 4 each (4 ea. x \$3,190.00 = \$(12,760.00)).

DEDUCT..... \$ (12,760.00)

2. Base Bid, Item 5 – Delete scope of work to adjust existing cleanouts to grade per Sewer Purveyor's requirements (LACSD) in its entirety. Eliminate unit price by \$300.00 from \$300.00 and quantity by 7 each from 7 each (7 ea. x \$300.00 = \$(2,100.00)).

DEDUCT..... \$ (2,100.00)

TOTAL DEDUCT AMOUNT (14,860.00)

TOTAL AMENDED CONTRACT SUM \$252,761.00

3. The compensation (time and cost) set forth in this Amendment shall constitute the total compensation due the Contractor for the work or change defined in the Amendment, including impact on unchanged work. By signing the Amendment, the Contractor acknowledges and agrees that the stipulated compensation includes payment for all work contained in the Amendment, plus all payment for the interruption of schedules, extended overhead costs, delay and all impact, ripple effect or cumulative impact on all other work under the Agreement. Contractor agrees the time extension granted in this Amendment, if any, constitutes complete compensation for all claims of delay through the date of this Amendment, whether listed above or not, and Contractor hereby waives and releases all claims for additional compensation and time extensions arising out of the above listed items and any other claims of delay, disruption or other impacts, known or unknown, including extended field or home office overhead, ripple effect or cumulative impact on all other work within the Scope of the Contract, arising through the date of this Amendment. The signing of the Amendment shall indicate that this Amendment constitutes full mutual accord and satisfaction for the change and that the time and/or cost under the Amendment constitutes the total equitable adjustment to which the Contractor is entitled as a result of the change.
4. All other terms and conditions of the amended Contract shall remain unchanged.
5. 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 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.

[Signature on Next Page]

IN WITNESS WHEREOF, the Board of Supervisors, acting as the Governing Body of the District, has caused this Contract to be subscribed by its duly authorized officers, on its behalf, and the said party of the second part has signed this Contract.

COUNTY SERVICE AREA 70 ZONE R-51 (OLD TOLL ACCESS ROADS)

► *Dawn Rowe*
 Dawn Rowe, Chair

Dated: OCT 22 2024

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

By *Lynna Monell*
 Lynna Monell,
 Clerk of the Board
 Deputy



HORIZON CONSTRUCTION CO. INT'L, INC.

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

By *Kinan Kotrash*
Kinan Kotrash (Oct 9, 2024 15:21 PDT)
 (Authorized signature - sign in blue ink)

Name Kinan Kotrash
 (Print or type name of person signing contract)

Title Vice President
 (Print or Type)

Dated: 10/09/24

Address 432 W. Meats Ave.,
 Orange, CA 92865

FOR COUNTY USE ONLY

Approved as to Legal Form
 ► *SC*
Sophie Curtis (Oct 10, 2024 08:57 PDT)
 Sophie A. Curtis, Deputy County Counsel
 Date 10/10/24

Reviewed for Contract Compliance
 ► *MM*
 Noel Mondragon, Division Manager
 Date 10/10/24

Reviewed/Approved by Department
 ► *DD*
 David Doublet, Assistant Director
 Date 10/10/24