

Contract Number

SAP Number

30.30.0178

Board Governed County Service Areas

| | |
|---|---------------------------|
| Department Contract Representative | John Hernandez |
| Telephone Number | (909) 386-8847 |
| Contractor | Tryco General Engineering |
| Contractor Representative | Try Kirtley, President |
| Telephone Number | (909) 363-7429 |
| Contract Term | NTP + 30 Days |
| Amendment No.1 Contract Term | NTP + 30 Days |
| Original Contract Amount | \$438,802 |
| Amount of Amendment No. 1 | (\$45,442) |
| Total Contract Amount | \$393,360 |
| Cost Center | 2600001588 / 30.30.0178 |
| Grant Number (if applicable) | N/A |

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT NO. 1

WHEREAS, on September 10, 2024, the San Bernardino County Board of Supervisors (Board) approved Contract (Contract) between County Service Area 70 R-9 Rim Forest (District) and Tryco General Engineering (Contractor), to perform the construction services for the CSA 70 R-9 Rim Forest Road Paving Project (Project); and

WHEREAS, the District and Contractor desire to amend the Contract to lower the total construction price with no increase to the original contract time, in order for the Contractor to remove work that is no longer needed and to adjust 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 1-10) \$ 391,940
ADDITIVE ITEMIZED BID No. 1 (Items 1-7) \$ 46,862

Amendment No. 1 dated September 24, 2024..... \$(45,442)

1. Base Bid, Item 5 (Adjust Existing Valve Cans to Grade per Purveyor's Requirements) – Reduce unit price by \$80 from \$280 to \$200 (13 ea. x \$80 = \$(1,040))
DEDUCT..... \$(1,040)
2. Base Bid, Item 6 (Sawcut and join existing pavement per detail on Sheet 5) – Reduce quantity from 120 linear feet to 80 linear feet (40 LF x \$40 = \$(1,600))
DEDUCT..... \$(1,600)
3. Base Bid, Item 8 (Adjust existing sewer manhole/clean-out to grade per Sewer Purveyor's Requirement) – Delete scope of work (27 ea. X \$1,200 = \$(32,400))
DEDUCT..... \$(32,400)
4. Additive No. 1, Item 1 (Pulverize Existing Roadway (Hazel PI, Park PI, Scenic PL)) – Reduce unit price by \$.24 from \$.56 to \$.32 per square foot (\$.24 SF x 6,075 = \$(1,458))
DEDUCT..... \$(1,458)
5. Additive No. 1, Item 2 (Shape, Grade and Compact existing roadways after pulverization) – Reduce unit price by \$.20 from \$1.20 to \$1.00 per square foot (\$.20 SF x 6,075 = \$(1,215))
DEDUCT..... \$(1,215)
6. Additive No. 1, Item 3 (Pave with 3" Compacted HMA (PG 64-16) ½" maximum – medium grading per typical sections indicated on Sheet 3 of the exhibits) – Reduce unit price by \$.12 from \$3.60 to \$3.48 per square foot (\$.12 SF x 6,075 = \$(729))
DEDUCT..... \$(729)
7. Additive No. 1, Item 6 (Adjust existing sewer manhole/clean-out to grade per Sewer Purveyor's Requirement) – Delete scope of work (7 ea. X \$1,000 = \$(7,000)).
DEDUCT..... \$(7,000)

TOTAL AMENDED CONTRACT SUM \$ 393,360.00

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]

COUNTY SERVICE AREA 70 R-9 RIM FOREST

►

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

Tryco General Engineering

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

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

Name Try Kirtley

(Print or type name of person signing contract)

Title President

(Print or Type)

Dated: _____

Address PO Box 391

Rim Forest, CA 92378

FOR COUNTY USE ONLY

Approved as to Legal Form

►

Sophie A. Curtis, Deputy County Counsel

Date _____

Reviewed for Contract Compliance

►

Noel Mondragon, Division Manager

Date _____

Reviewed/Approved by Department

►

David Doublet, Assistant Director

Date _____