



**Contract Number**

23-52 A1

**SAP Number**

4400021035

## Public Works

<b>Department Contract Representative</b>	Sameh Basta
<b>Telephone Number</b>	(909) 387-8040
<b>Contractor</b>	Kirtley Construction, Inc. dba TK Construction
<b>Contractor Representative</b>	Patricia Kirtley
<b>Telephone Number</b>	(909) 473-8739
<b>Contract Term</b>	January 24, 2023 thru December 31, 2025
<b>Original Contract Amount</b>	\$625,000
<b>Amendment Amount</b>	
<b>Total Contract Amount</b>	\$625,000
<b>Cost Center</b>	6650002000
<b>Grant Number (if applicable)</b>	

**IT IS HEREBY AGREED AS FOLLOWS:**

**Amendment No. 1 to Contract No. 23-52**

San Bernardino County ("County") and Kirtley Construction, Inc. dba TK Construction ("Contractor"), hereby seek to enter into this Amendment No. 1 to amend Contract No. 23-52 as follows:

1. ADD the following paragraph as paragraph B.50 in Section B:

**B.50. EXECUTIVE ORDER N-6-22 RUSSIA SANCTIONS**

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>), as well as any sanctions imposed under state law (<https://www.dgs.ca.gov/OLS/Ukraine-Russia>). The EO directs state agencies and their contractors (including by agreement or receipt of a grant) to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions.

Accordingly, should it be determined that Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. Contractor shall be provided advance written notice of such termination, allowing Contractor at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the District.

2. DELETE Section C. "TERM OF CONTRACT", and REPLACE it with a revised Section C., which shall now read as follows:

#### C. TERM OF CONTRACT

This contract is effective January 24, 2023 and expires December 31, 2025, but may be terminated earlier in accordance with provisions of this Contract.

3. All other terms and conditions of Contract No. 23-52 shall remain unchanged.
4. This Amendment No. 1 shall take effect on the date it is last signed by both parties.
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.

**IN WITNESS WHEREOF**, the Board of Supervisors of San Bernardino County and Contractor have each caused this amendment to be subscribed by their respective duly authorized officers, on their behalves.

SAN BERNARDINO COUNTY

►

\_\_\_\_\_  
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  
San Bernardino County

By \_\_\_\_\_  
Deputy

Kirtley Construction, Inc. dba TK Construction  
\_\_\_\_\_  
(Print or type name of corporation, company, contractor, etc.)

By ► \_\_\_\_\_  
(Authorized signature - sign in blue ink)

Name David King  
\_\_\_\_\_  
(Print or type name of person signing contract)

Title Vice President  
\_\_\_\_\_  
(Print or Type)

Dated: \_\_\_\_\_

Address P.O. Box 9608  
\_\_\_\_\_  
San Bernardino, CA 92427  
\_\_\_\_\_

**FOR COUNTY USE ONLY**

Approved as to Legal Form

►  
\_\_\_\_\_  
Aaron Gest, Deputy County Counsel

Date \_\_\_\_\_

Reviewed for Contract Compliance

►  
\_\_\_\_\_  
Andy Silao, P.E.

Date \_\_\_\_\_

Reviewed/Approved by Department

►  
\_\_\_\_\_  
Noel Castillo, Director

Date \_\_\_\_\_