



Contract Number

22-1071 A-1

SAP Number

Project and Facilities Management Department Project Management

Department Contract Representative	Don Day
Telephone Number	(909) 387-5000
Contractor	Icon West, Inc.
Contractor Representative	Bernard Ashkar
Telephone Number	(213) 385-0027
Original Contract Term	550 Days
Revised Contract Term	640 Days
Original Contract Amount	\$23,766,681
Prior Authorized Amendment	\$0
Prior Authorized Change Order	\$0
Total Contract Prior to Amendment	\$23,766,681
Amendment Amount	\$710,903
Total Revised Contract Amount	\$24,477,584
Cost Center	7700003100
Project Name	ISD Acquisition and Improvements
WBSE	10.10.0768

IT IS HEREBY AGREED AS FOLLOWS:

**AMENDMENT No. 1
CONTRACT No. 22-1071
ISD Acquisitions and Improvements Project**

The following are amendments to Contract No. 22-1071 with Icon West, Inc. for the ISD Acquisition and Improvements Project ("Project").

WHEREAS, a construction contract ("Agreement") was entered into between San Bernardino County ("County"), and Icon West, Inc. ("Contractor"), on October 25, 2022, to perform certain work as described in the Project Bid Documents for construction of the Project;

WHEREAS, following the award of the Agreement and during the course of construction, the Contractor encountered the following unforeseen conditions; differing site conditions; incorrectly framed structural openings; and remediation of existing Fire Life Safety insufficiencies as stipulated in Change Order Request (COR) No. 4R1, 5R2, 11, 12R1, 17, 21Rev, 22.1, 25, 26, 30, and 36R1; and

10. Labor, materials, and equipment to demolish and remove existing unforeseen asphalt slab at new generator yard (COR 30).

ADDS	\$	4,401
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11. Labor, materials, and equipment to construct solar canopy footing over and around existing unforeseen utility within reinforced concrete piping (COR 36R1).

ADDS	\$	22,389
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NET ADDITION THIS AMENDMENT	\$	710,903
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Section 2. **The new Contract Sum is \$24,477,584.**

Section 3. **The original Contract Time was 550 days and the above changes added 90 days to the Contract Time for a total of 640 days and a new Agreement completion date of August 29, 2024.**

Section 4. The compensation (time and cost) set forth in this Amendment shall comprise 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. The Contract Time is the agreed upon period of time allotted to Contractor to achieve completion of the entire scope of work, without the imposition of liquidated damages. Extensions of the Contract Time are permitted by section 3.1 of the Contract, subject to written approval of the County. At all times the Contract as a whole remains in full force and effect until all issues relating to the Contract have been resolved. The signing of the Amendment shall indicate that the 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 owed the Contractor as a result of the change.

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Section 5. All other terms and conditions of the Agreement, and approved change orders, shall remain unchanged.

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 Contract (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.

SAN BERNARDINO COUNTY

► *Dawn Rowe*
Dawn Rowe, Chair, Board of Supervisors

Dated: DEC 05 2023

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

By *Lynna Monell*
Lynna Monell
Clerk of the Board of Supervisors
San Bernardino County
Deputy



Icon West Inc

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

By ► *Bernard Ashkar*
Bernard Ashkar (Nov 13, 2023 13:39 PST)
(Authorized signature - sign in blue ink)

Name Bernard Ashkar
(Print or type name of person signing contract)

Title Chief Executive Officer
(Print or Type)

Dated: Nov 13, 2023

Address 520 S. La Fayette Park Place, Suite 503

Los Angeles, CA 90057

FOR COUNTY USE ONLY

Approved as to Legal Form
► *Julie J. Surber*
Julie J. Surber (Nov 13, 2023 14:19 PST)
Julie Surber, Principal Asst. County Counsel
Date Nov 13, 2023

Reviewed for Contract Compliance
► *Rene Glynn*
Rene Glynn (Nov 13, 2023 14:41 PST)
René Glynn, Supervising Project Manager
Date Nov 13, 2023

Reviewed/Approved by Department
► *Don Day*
Don Day (Nov 13, 2023 16:18 PST)
Don Day, Director PFMD
Date Nov 13, 2023