

Contract Number

23-653 A-1

SAP Number

**County Service Areas and Their Zones,
Big Bear Valley Recreation Park District
and Bloomington Recreation and Park District**

Department Contract Representative	Noel Mondragon
Telephone Number	909-386-8800
Contractor	Kirtley Construction, Inc. dba TK Construction
Contractor Representative	David King, Vice President
Telephone Number	909-473-8739
Original Contract Term	July 11, 2023 – June 30, 2028
Original Contract Amount	\$1,000,000
Amendment No. 1	\$1,000,000
Total Contract Amount	\$2,000,000
Cost Center	
Grant Number (if applicable)	

IT IS HEREBY AGREED AS FOLLOWS:

**AMENDMENT NO. 1
CONTRACT NO. 23-653**

WHEREAS, on July 11, 2023, the San Bernardino County Board of Supervisors and Board of Directors approved Contract No. 23-653 (Contract) between Board Governed County Service Area, Big Bear Valley Recreation and Park District, and Bloomington Recreation and Park District (collectively, "Districts") and Kirtley Construction, Inc. dba TK Construction (Contractor), to perform on-call maintenance and repair services for sewer collection systems and treatment facilities, including routine maintenance projects services, and emergency projects on an as-needed basis for the Districts; 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 "FISCAL PROVISIONS" and REPLACE it with a new Section 4.1, which shall now read as follows:

4.1 The maximum amount of payment under this Contract shall not exceed \$2,000,000 and shall be subject to the availability of funds from the Districts. Payment shall be made upon completion of satisfactory performance, on a job-by-job basis and as invoiced by Contractor in accordance with Exhibit A – Fee Schedule and section F.2 herein. The Department shall make payment to Contractor within sixty (60) working days after receipt of invoice or the resolution of any billing dispute. The consideration to be paid the Contractor, as provided herein, shall be in full payment for all Contractor's services and expenses incurred in the performance thereof, including travel, per diem and reimbursable expenses for that job as identified in a written work/job order. Multiple jobs may be awarded and performed simultaneously and/or in concert with each other. Separate job or work orders will be issued for each job assignment or work order.

3. All other terms and conditions of the amended Contract shall remain unchanged.
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 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.
5. This Amendment No. 1 to the Contract shall take effect on the date it is signed and approved by authorized officers of both the Districts and the Contractor.

IN WITNESS WHEREOF, the Districts and the Contractor have each caused this Amendment to be executed by their respective authorized officers.

BOARD GOVERNED COUNTY SERVICES AREAS AND ZONES

BIG BEAR VALLEY RECREATION AND PARK DISTRICT

Dawn Rowe, Chair,

Dawn Rowe, Chair, Board of Directors

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

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

Lynna Monell, Secretary

By: _____
Deputy

By: _____
Deputy

BLOOMINGTON RECREATION AND PARK DISTRICT

KIRTLEY CONSTRUCTION, INC. DBA TK CONSTRUCTION

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

►

Dawn Rowe, Chair, Board of Directors

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

Patricia Kirtley

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

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

Secretary/Treasurer

Lynna Monell, Secretary

Title _____
(Print or Type)

By _____
Deputy

Dated: _____

Address _____
P.O. Box 9608
San Bernardino, CA 92427

FOR COUNTY USE ONLY

Approved as to Legal Form
►

Sophie Curtis, Deputy County Counsel
Date _____

Reviewed for Contract Compliance
►

Noel Mondragon, Division Manager
Date _____

Reviewed/Approved by Department
►

David R. Doublet, Assistant Director
Date _____