



Contract Number

03-390 A-7

SAP Number

Real Estate Services Department

Department Contract Representative	Terry W. Thompson, Director
Telephone Number	(909) 387-5252
Contractor	Operating Engineers Funds, Inc.
Contractor Representative	Larry Hopkins, Administrator
Telephone Number	(562) 254-6898
Contract Term	5/1/2003 – 11/30/2024
Original Contract Amount	\$0 (in-kind services)
Amendment Amount	\$0
Total Contract Amount	\$0
Cost Center	4431121000
GRC/PROJ/JOB No.	33002821
Internal Order No.	

WHEREAS, the COUNTY as landlord ("COUNTY") and the Operating Engineers Fund, Inc. as tenant ("TENANT") have entered into a Lease Agreement, Contract No. 03-390 dated May 13, 2003, as amended by a First Amendment dated September 14, 2004, as amended by a Second Amendment dated February 15, 2005, as amended by a Third Amendment dated May 15, 2007, as amended by a Fourth Amendment dated August 10, 2010, as amended by a Fifth Amendment dated February 10, 2015, and as amended by a Sixth Amendment dated November 6, 2018 (collectively "the Lease") wherein the COUNTY agreed to lease certain premises, as more specifically set forth in the Lease, to the TENANT with TENANT's completion of certain projects, as more specifically set forth in the Lease, in lieu of rent, which Lease is scheduled to expire on November 30, 2019; and,

WHEREAS, the COUNTY and the TENANT now desire to extend the term of the Lease for a period of five (5) years, commencing December 1, 2019 and expiring on November 30, 2024, revise the scope of projects to be completed in lieu of rent for the leased premises, and amend certain other provisions of the Lease, as more specifically set forth in this amendment ("Seventh Amendment");

NOW, THEREFORE, in consideration of mutual covenants and conditions, the parties hereto agree the Lease is amended as follows:

1. Effective December 1, 2019, DELETE in its entirety Paragraph 3., TERM, and SUBSTITUTE therefore a new Paragraph 3., TERM, which shall read as follows:

"3. **TERM:** The term of the Lease shall be extended for a period of five (5) years, commencing on December 1, 2019 and expiring on November 30, 2024 ("Sixth Extended Term")."

2. Effective December 1, 2019, DELETE in its entirety Paragraph 4.B., RENT, and SUBSTITUTE therefore a new Paragraph 4., RENT, which shall read as follows:

“4. **RENT:**

B. Projects to be completed during the Sixth Extended Term:

1. Grade and maintain service pads for EVOC area Pole track lighting
2. Continue grading for curb and gutter and pads on Scenario Village project
3. Maintain unpaved roads around North Academy area, County Fire and EVOC areas
4. Maintain existing fire breaks and training trails and grade new fire breaks as needed
5. Maintain water retention ponds
6. Maintain and grade Bomb and Arson Pit
7. Crush and make base and sand for road maintenance and other projects
8. Maintain dirt weapons ranges for drainage and operation
9. Build Storage pads for containers and equipment storage at EVOC
10. Dig trenches for trench and confined space training classes
11. Maintain dust control on back service road and for Fire Training areas
12. Remove as necessary concrete and asphalt for maintenance of sidewalks, parking and training areas
13. Provide crane services to remove and replace HVAC and other equipment as needed from roof areas and to set containers, equipment and materials
14. Maintain unpaved areas for parking and seating at Rodeo Events. Move containers and bleachers in preparation for events
15. Design and construct the 2019 – 2024 Mud Run events as needed
16. Provide emergency broken water line excavations and repairs as needed
17. Relocate K-rails for proper road traffic control as needed
18. Grade and backfill protection berm for PPC range area and relocate tree
19. Supply and place rock around the facility for erosion control and enhancement
20. Unload and load equipment and material orders consisting of brass, ammo, lumber, concrete, rubbish and other supplies
21. Remove existing rock and concrete area at EVOC for new concrete patio and building service area
22. Remove existing grass and dirt area in front of EVOC main building for new sidewalks
23. Remove and grade existing grass area at EVOC for new rock scape water conservation project
24. Process old concrete and rocks to provide base materials as needed for projects and erosion control
25. Dig, relocate, and set power and utility poles as needed
26. Grade and set storage container on long range for target storage
27. Grade for the EVOC 4x4 off road training course
28. Build maintenance pads for new concrete service equipment to service area lighting for training at EVOC motor training area from inside outer track area
29. Grade and base parking area at classroom H and RAC-House area
30. Install storm drain in front of aviation range entrance
31. Provide trailers and platforms for offsite events
32. Maintain road access to fuel tanks at EVOC for vehicle gas
33. Provide emergency weather related work
34. Assist Special Districts with crane and drainage work as needed
35. Provide instructors and equipment for American Cancer Society's Annual Construction vs Cancer Big Dig Inland Empire event
36. Dig trenching for electrical lines at EVOC for lighting
37. Rebuild sediment pond spillways

38. Base and pave streets at Scenario Village
39. Grade area for Tactical Agility Course behind live fire house
40. Build and crane into position for installation Academy Archway Entrance Project pending CIIP
41. Grade and back fill protection berm for PPC range.
42. Install access entrance tunnel to EVOC motor training area from inside outer track area."

3. All other provisions and terms of the Lease shall remain the same and are hereby incorporated by reference. In the event of conflict between the Lease and this Seventh Amendment, the provisions and terms of this Seventh Amendment shall control.

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COUNTY OF SAN BERNARDINO

TENANT: OPERATING ENGINEERS FUNDS, INC.

►
Curt Hagman, Chairman, 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
of the County of San Bernardino

By _____
Deputy

By ►
(Authorized signature - sign in blue ink)

Name Larry Hopkins
(Print or type name of person signing contract)

Title Administrator
(Print or Type)

Dated: _____

Address 2190 S. Pellissier Place
Whittier, CA 90601

FOR COUNTY USE ONLY

Approved as to Legal Form

►
Agnes I. Cheng, Deputy County Counsel

Date _____

Reviewed for Contract Compliance

►

Date _____

Reviewed/Approved by Department

►
Jim Miller, Real Property Manager, RESD

Date _____