

**Contract Number**

23-877 A-1

**SAP Number**

**Board Governed County Service Area**

**Department Contract Representative** Chuck Hernandez, Project Manager  
**Telephone Number** (909) 386-8832

<b>Contractor</b>	<u>Pavement Coatings Co.</u>
<b>Contractor Representative</b>	<u>James Wu</u>
<b>Telephone Number</b>	<u>(714) 826-3011</u>
<b>Contract Term</b>	<u>NTP + 30 Days</u>
<b>Amended No. 1 Contract Term</b>	<u>August 22, 2023 – December 30, 2023</u>
<b>Contract Term Extension</b>	<u>101 days</u>
<b>Original Contract Amount</b>	<u>\$976,286.76</u>
<b>Amendment Amount</b>	<u>\$(79,169.71)</u>
<b>Total Contract Amount</b>	<u>\$897,117.05</u>
<b>Cost Center</b>	<u>2400001570</u>

**IT IS HEREBY AGREED AS FOLLOWS:**

**AMENDMENT NO. 1  
TO CONSTRUCTION AGREEMENT  
CONTRACT NO. 23-877**

**WHEREAS**, on August 22, 2023, the San Bernardino County Board of Supervisors (Board) approved the County Contract No. 23-877 (Contract) in the amount of \$976,286.76 between County Service Area 70, R-5 Sugarloaf ("District") and Pavement Coatings. ("Contractor") for the construction of the CSA 70 R-5 Sugarloaf Road Chip Seal Project ("Project"); and

**WHEREAS**, since the execution of the contract, the Project has encountered a change in the asphalt treatment and the addition of paving area, thereby reducing the overall cost to the Project and extending the final completion date to December 30, 2023; 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 to enter this Amendment No. 1 to amend Contract No. 23-877 as follows:

1. DELETE Section 4.1.1, Total Compensation, and REPLACE it with a new Section 4.1.1 which shall 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:

**Original Contract Amount.....\$976,286.76**

Amendment No. 1 dated December 19, 2023, as follows:

1.	Bid Item 4 – Labor, equipment and material for Chip Seal to Recycled Asphalt Pavement (RAP) slurry seal.	
	<u>DEDUCTS</u>	<u>(\$90,747.36)</u>
2.	Bid Item 6 - Labor, equipment and material for Post Application Rolling, Sweeping and Clean Up.	
	<u>DEDUCTS</u>	<u>(\$11,000.00)</u>
3.	Labor, equipment and material for additional RAP (19,000sf @ \$0.35); Mobilization and Traffic Control	
	<u>ADDS</u>	<u>\$22,577.65</u>

**TOTAL CONTRACT SUM \$897,117.05**

2. ADD the following paragraph as paragraph 9.7 in Section 9:

#### **9.7 Political Contributions**

Contractor has disclosed to the District and County using Attachment E – Senate Bill 1439 Consultant Information Report, whether it has made any campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer [Sheriff, Assessor-Recorder-Clerk, Auditor-Controller/Treasurer/Tax Collector and the District Attorney] within the earlier of: (1) the date of the submission of Contractor's proposal to the District, or (2) 12 months before the date this Contract was approved by the Board of Supervisors. Contractor acknowledges that under Government Code section 84308, Contractor is prohibited from making campaign contributions of more than \$250 to any member of the Board of Supervisors or other County elected officer for 12 months after the District and County's consideration of the Contract.

In the event of a proposed amendment to this Contract, the Contractor will provide the District and County a written statement disclosing any campaign contribution(s) of more than \$250 to any member of the Board of Supervisors or other County elected officer within the preceding 12 months of the date of the proposed amendment.

Campaign contributions include those made by any agent/person/entity on behalf of the Contractor or by a parent, subsidiary or otherwise related business entity of Contractor.

4. All other terms and conditions of the amended Contract shall remain unchanged.
5. The Recitals set forth above are true and correct and incorporated herein by this reference.
6. 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.

This Amendment No. 1 to the Contract shall take effect on the date it is signed and approved by authorized officers of both District and Contractor.

In WITNESS WHEREOF, the District has caused this Agreement to be subscribed by the Chairman of said Board and its respective seal to be affixed, attested by the Clerk thereof, and Consultant has caused this Agreement to be signed by its authorized officer.

[Signatures on next page]

IN WITNESS WHEREOF, the Board of Supervisors, acting as the Governing Body of CSA 70, R-5 Sugarloaf and the Contractor have each caused this Contract to be subscribed by its respective duly authorized officers, on its behalf.

COUNTY SERVICE AREA 70, R-5 SUGARLOAF

► Dawn Rowe  
 Dawn Rowe, Chair, Board of Supervisors

Dated: DEC 19 2023

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

By Lynna Monelli  
 Clerk of the Board of Supervisors of the San Bernardino County  
 Deputy



PAVEMENT COATINGS CO.

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

By [Signature]  
 (Authorized signature - sign in blue ink)

Name JAMES WU  
 (Print or type name of person signing contract)

Title VICE PRESIDENT  
 (Print or Type)

Dated: 12/16/2023

Address 10240 SAN SEVINE WAY  
SUNDA VALLEY, CA 91752

Approved as to Legal Form ► <u>Aaron Gest</u> Aaron Gest – Deputy County Counsel Date <u>Dec 7, 2023</u>	Reviewed by Contract Compliance ► <u>Byanka Velasco</u> Byanka Velasco – Division Manager Date _____	Reviewed/Approved by Department ► <u>David R. Doublet</u> David Doublet – Assistant Director Date <u>Dec 11, 2023</u>
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