THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY

SAN BERNARDINO COUNTY

**Contract Number**

26-80-A1

**SAP Number**

# Public Works - Transportation

| | |
|---|---|
| **Department Contract Representative** | Andy Silao, P.E., Chief |
| **Telephone Number** | (909) 387-7920 |
| **Contractor** | PUB Construction Inc. |
| **Project Name** | Job Order Contract for Pavement Maintenance |
| **CSLB No.** | 788668 |
| **DIR Registration No.** | 1000005407 |
| **Contractor Representative** | Chris Yi |
| **Telephone Number** | (909) 455-0187 |
| **Contract Term** | February 10, 2026, to February 9, 2027 |
| **Original Contract Amount** | $1,500,000 |
| **Amendment Amount** | $4,750,000 |
| **Total Contract Amount** | $6,250,000 |
| **Cost Center** | |
| **Grant Number (if applicable)** | |

**AMENDMENT NO. 1**
**TO CONTRACT NO. 26-80**

San Bernardino County ("County") and PUB Construction Inc. ("Contractor"), hereby seek to enter into this Amendment No. 1 ("Amendment") to amend Contract No. 26-80 ("Contract") as follows:

1. DELETE ARTICLE II of the Contract and REPLACE it with the following ARTILCE II which shall now read as follows:

   **ARTICLE II.** Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all of the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until its acceptance by the County, and for all risks of every description connected with the work; also for expenses incurred by or in consequence of the suspension or discontinuance of work and

for well and faithfully completing the work, and the whole thereof, in the manner and according to this agreement, to wit:

The contract is a competitively bid, firm fixed priced indefinite quantity contract. It includes an ongoing series of individual Projects, detailed repair and construction tasks and specifications, at different locations throughout the County. The bid documents include the Job Order Contracts for Pavement Maintenance FY 2025-26 Unit Price List containing construction tasks with preset Unit Prices, which are hereby incorporated by reference. It is placed with a Contractor for the accomplishment of pavement maintenance in the San Bernardino County Valley area. Ordering is accomplished by the issuance of a Job Order against the Contract. There is no Minimum Contract Value. Contractor acknowledges that there is no minimum value for individual Job Orders issued under this Contract. The potential Maximum Contract Value is **$6,250,000** and shall also serve as the not-to-exceed amount. The Contractor shall perform all Work required, necessary, and proper for or incidental to completing the Work called for in each individual Job Order issued against this Unit Price Contract using the Unit Price List (UPL), Standard Specifications, Standard Plans, and Special Provisions, all of which are incorporated herein, using the following adjustment factors:

**Adjustment Factors:** Contractor bids two Adjustment Factors that will be applied against the prices set forth in the UPL, incorporated herein by reference. These Adjustment Factors will be used to price out fixed price JOC Task Orders by multiplying the appropriate Adjustment Factor by the Unit Prices and appropriate quantities.

**Base Period:** 12 months from award of Contract by the Board of Supervisors or expenditure reaching the stated maximum value of the executed contract, whichever occurs first. Any modifications in contract duration or maximum value must be approved by County through amendment or contract change order. Any Job Order issued and accepted prior to the expiration or termination of this Job Order Contract shall remain in full force and effect and shall survive such expiration or termination. Each surviving Job Order shall continue to be governed by the terms of this Contract until the Work is completed and accepted and all related obligations of the Contractor and County are fully satisfied.

**FACTOR 1** - Unit work requirements to be performed during **Normal Working Hours**, 7:00 AM to 4:00 PM, Monday to Friday, inclusive, (Saturdays, Sundays, and County Holidays are excluded) as ordered by County in individual JOC Task Orders against the contract.

**0.8988**
Utilize four decimal places

**FACTOR 2** - Unit work requirements to be performed during **Other Than Normal Working Hours**, 4:01 PM to 6:59 AM, on weekdays and any times during Saturdays, Sundays, and County Holidays, as ordered by County in individual JOC Task Orders against the contract. Factor 2 must be equal to or greater than Factor 1.

**1.0050**
Utilize four decimal places

2. All other terms and conditions of Contract No. 26-80 remain in full force and effect.

3. This Amendment No. 1 shall take effect on the date it is last signed by both parties.

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 and electronic signature of this Amendment (whether by facsimile, PDF or other email transmission), which signatures 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**, San Bernardino County and the Contractor have each caused this Amendment to be subscribed by its respective duly authorized officers, on its behalf.

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

PUB Construction Inc.
*(Print or type name of corporation, company, contractor, etc.)*

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

Name Chris Yi
*(Print or type name of person signing contract)*

Title President
*(Print or Type)*

Dated: _____

Address 23545 Palmonio Dr. #104
Diamond Bar, CA 91765

**FOR COUNTY USE ONLY**

| Approved as to Legal Form | Reviewed for Contract Compliance | Reviewed/Approved by Department |
|---|---|---|
| ► | ► | ► |
| Aaron Gest, County Counsel | Andy Silao, P.E. | Noel Castillo, Director |
| Date _____ | Date _____ | Date _____ |