



Contract Number

19-0173 A-1

SAP Number

Public Works

Department Contract Representative Harold Zamora, P.E., Engineering Manager

Telephone Number (909) 387-8166

Consultant MNS Engineers, Inc.

Consultant Representative Shawn Kowalewski, Vice President

Telephone Number (909) 460-8844

Contract Term March 19, 2019 – March 18, 2024

Original Contract Amount \$500,000

Amendment Amount \$1,000,000

Total Contract Amount \$1,500,000

Cost Center 6650002000

IT IS HEREBY AGREED AS FOLLOWS:

Amendment No. 1

WHEREAS, San Bernardino County (County) and MNS Engineers, Inc. (Consultant), entered into County Contract No. 19-0173 (hereinafter referred to as "Agreement") on March 19, 2019 for on-call professional Civil Engineering services relative to transportation projects; and,

WHEREAS, it has been determined that the County's workload requires more work than anticipated, requiring an amendment to in the contract amount; and,

WHEREAS, County and Consultant desire to amend the Agreement increasing County Contract No. 19-0173 by \$1,000,000 (from \$500,000 to \$1,500,000) and updating the designated County's Representative.

NOW, THEREFORE, in consideration of the mutual terms and conditions provided herein, the County and Consultant hereto agree the Agreement, County Contract No. 19-0173, is amended as follows:

- 1. UPDATE the existing "COUNTY RESPONSIBILITIES" Section E, Paragraph E.1 County Representative to read as follows:

County Representative:

Harold Zamora, P.E., Engineering Manager
Transportation Planning Division
825 E. 3rd Street, Room 143
San Bernardino, CA 92415-0835
Email: hzamora@dpw.sbcounty.gov

2. DELETE the existing "FISCAL PROVISIONS" Section F, Paragraph F.1 and REPLACE it with a revised Paragraph F.1, which shall read as follows:

F.1 The maximum amount of payment under this Contract shall not exceed \$1,500,000 and shall be subject to availability of funds to the County. The consideration to be paid to Consultant, as provided herein, shall be in full payment for all Consultant's services and expenses incurred in the performance hereof, including travel and per diem.

Consultant bears the risk that it may not be able to generate its anticipated (or any) profit in completing its performance of all required items of work for the specified level of compensation. In no event shall Consultant be entitled to receive compensation for any item of work required of Consultant under the terms of the Contract, which item of work is not performed by Consultant (including Consultant's agents and approved subcontractors).

3. The recitals of this Amendment No. 1 are incorporated into the Agreement by reference.
4. Except as amended by this Amendment No. 1, all other terms and conditions of County Contract No. 19-0173 shall remain the same.
5. This Amendment No. 1 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.
6. This Amendment No. 1 to the Agreement, County Contract No. 19-0173, is effective on the date it is approved and signed by both parties, and shall conclude upon satisfaction of the terms as stated in Section D. "TERM OF CONTRACT" of the Agreement or on March 18, 2024.

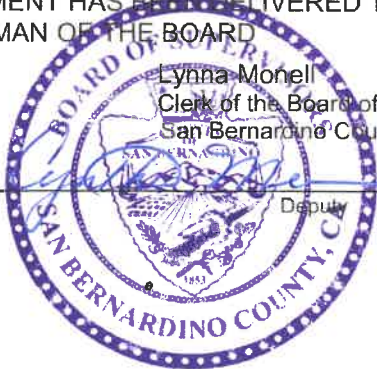
SIGNATURES ON THE FOLLOWING PAGE

SAN BERNARDINO COUNTY

▶ *Curt Hagman*
Curt Hagman, Chairman, Board of Supervisors

Dated: OCT 05 2021
SIGNED AND CERTIFIED THAT A COPY OF THIS DOCUMENT HAS BEEN DELIVERED TO THE CHAIRMAN OF THE BOARD

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



MNS ENGINEERS, INC.

By ▶ *Shawn Kowalewski*
(Authorized signature - sign in blue ink)

Name Shawn Kowalewski
(Print or type name of person signing contract)

Title Vice President
(Print or Type)

Dated: September 13, 2021

Address 201 N. Calle Cesar Chavez, Ste 300
Santa Barbara, CA 93103

FOR COUNTY USE ONLY

Approved as to Legal Form

▶ **SEE ATTACHED**
Suzanne Bryant, Deputy County Counsel

Date _____

Reviewed for Contract Compliance

▶ *Andy Silao*
Andy Silao, P.E., Engineering Manager

Date 9/28/2021

Reviewed/Approved by Department

▶ *Brendon Biggs*
Brendon Biggs, Director

Date 9-28-21

SAN BERNARDINO COUNTY

MNS ENGINEERS, INC.

▶
Curt Hagman, Chairman, Board of Supervisors

By ▶
(Authorized signature - sign in blue ink)

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)

Lynna Monell
Clerk of the Board of Supervisors
San Bernardino County

Title _____
(Print or Type)

By _____
Deputy

Dated: _____

Address _____

FOR COUNTY USE ONLY

Approved as to Legal Form
▶ *Suzanne Bryant*
Suzanne Bryant, Deputy County Counsel

Reviewed for Contract Compliance
▶
Andy Silao, P.E., Engineering Manager

Reviewed/Approved by Department
▶
Brendon Biggs, Director

Date 9-17-2021

Date _____

Date _____