



Contract Number

20-1044 A1

SAP Number

4400015492

San Bernardino County Flood Control District

**Department Contract Representative
Telephone Number**

Sameh Basta
909-387-8040

**Contractor
Contractor Representative
Telephone Number
Contract Term
Original Contract Amount
Amendment Amount
Total Contract Amount
Cost Center
Grant Number (if applicable)**

Three Peaks Corp
Erik Simmons
(909) 522-2219
October 27, 2020 thru December 31, 2025
\$1,250,000
\$1,250,000
1970002510

IT IS HEREBY AGREED AS FOLLOWS:

Amendment No. 1 to Contract No. 20-1044

San Bernardino County Flood Control District ("District") and Three Peaks Corp ("Contractor"), hereby seek to enter into this Amendment No. 1 to amend Contract No. 20-1044 as follows:

1. ADD the following paragraph as paragraph B.50 in Section B:

B.50. EXECUTIVE ORDER N-6-22 RUSSIA SANCTIONS

On March 4, 2022, Governor Gavin Newsom issued Executive Order N-6-22 (the EO) regarding Economic Sanctions against Russia and Russian entities and individuals. "Economic Sanctions" refers to sanctions imposed by the U.S. government in response to Russia's actions in Ukraine (<https://home.treasury.gov/policy-issues/financial-sanctions/sanctions-programs-and-country-information/ukraine-russia-related-sanctions>), as well as any sanctions imposed under state law (<https://www.dgs.ca.gov/OLS/Ukraine-Russia>). The EO directs state agencies and their contractors (including by agreement or receipt of a grant) to terminate contracts with, and to refrain from entering any new contracts with, individuals or entities that are determined to be a target of Economic Sanctions.

Accordingly, should it be determined that Contractor is a target of Economic Sanctions or is conducting prohibited transactions with sanctioned individuals or entities, that shall be grounds for termination of this agreement. Contractor shall be provided advance written notice of such termination, allowing Contractor at least 30 calendar days to provide a written response. Termination shall be at the sole discretion of the District.

2. DELETE Section C. "TERM OF CONTRACT", and REPLACE it with a revised Section C., which shall now read as follows:

C. TERM OF CONTRACT

This Contract is effective October 27, 2020 and expires December 31, 2025 but may be terminated earlier in accordance with provisions of this Contract.

3. All other terms and conditions of Contract No. 20-1044 shall remain unchanged.
4. This Amendment No. 1 shall take effect on the date it is last signed by both parties.
5. 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.

IN WITNESS WHEREOF, the San Bernardino County Flood Control District and the Contractor have each caused this Amendment to be subscribed by its respective duly authorized officers, on its behalf.

SAN BERNARDINO COUNTY FLOOD CONTROL
DISTRICT

►

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

By _____
Deputy

Three Peaks Corp

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

By ►

(Authorized signature - sign in blue ink)

Name Erik Simmons

(Print or type name of person signing contract)

Title President

(Print or Type)

Dated: _____

Address P.O. Box 101

Calimesa, CA 92320

FOR COUNTY USE ONLY

Approved as to Legal Form

►

Sophie A. Curtis, Deputy County Counsel

Date _____

Reviewed for Contract Compliance

►

Andy Silao, P.E.

Date _____

Reviewed/Approved by District

►

Noel Castillo, Chief Flood Control Engineer

Date _____