



Contract Number

23-1111 A-1

SAP Number

Project and Facilities Management Department

Department Contract Representative	Scott Hughes
Telephone Number	909-387-5000
Contractor	Rasmussen Brothers Construction, Inc.
Contractor Representative	Michael Rasmussen
Telephone Number	760-731-5243
Contract Term	436 Calendar Days
Original Contract Amount	\$ 801,600
Prior Authorized Amendment	\$ 0
Prior Authorized Change Order	\$ 6,338.14
Total Contract Prior to Amendment	\$ 807,938.14
Total Revised Contract Amount	\$ 843,887.14
Cost Center	7700003100
Project Name	800MHz Upgrades Cajon Pass Tower
WBSE	10.10.1011
Grant Number (if applicable)	

IT IS HEREBY AGREED AS FOLLOWS:

**AMENDMENT No. 01
CONTRACT No. 23-1111
800MHZ UPGRADES CAJON PASS TOWER**

The following are amendments to Contract No. 23-1111 with Rasmussen Brothers Construction, Inc. for the 800MHz Upgrades Cajon Pass Tower ("Project").

WHEREAS, a construction contract ("Agreement") was entered into between the San Bernardino County ("County"), and Rasmussen Brothers Construction, Inc. ("Contractor"), on October 3, 2023 to perform certain work as described in the Project Bid Documents for construction of the Project;

WHEREAS, following the award of the Agreement and during the course of construction, the Contractor encountered the following unforeseen conditions: contractor discovered poor soil conditions on site that were not identified on the Geotechnical Report. Contractor had to over-excavate an additional 2'6" and recompact imported base for the new building pad, generator pad, and retaining wall due to the unforeseen poor soil conditions discovered on site. This unforeseen conditions requires adding an additional 15 calendar days to the

contract for the delays caused by unforeseen soil conditions, for a total of 380 Calendar Days, extending the construction completion date to January 3, 2025; and

WHEREAS, following the award of the Agreement and during the course of construction, the Contractor encountered the following unforeseen circumstances; the contractor was unable to mobilize and was delayed by an outside agency, Caltrans. The contractor submitted the encroachment permit application on February 2, 2024, to Caltrans and on April 18, 2024, Caltrans provided the Contractor a temporary encroachment permit allowing the contractor to mobilize and start construction activities. This unforeseen circumstance requires adding an additional 56 calendar days to the contract, for a total of 436 Calendar days, extending the completion date to February 28, 2025; and

WHEREAS, these conditions and circumstances were unforeseen and could not have been anticipated at the time of bid or execution of the Agreement and these conditions have necessitated the execution of this Amendment.

NOW THEREFORE, the Agreement is hereby amended as follows:

Section 1. The following changes and their respective costs, which have been claimed by Rasmussen Brothers Construction, Inc., have been added to the Agreement:

1. Labor, equipment and material required for the additional 2'6" of over-excavation for the new building pad, generator pad, and retaining wall due to the unforeseen poor soil conditions discovered on site not identified on the Geotechnical Report and as per RFI #01. The COR cost includes the procurement, installation and compaction of new base material for the new building pad, generator pad, and retaining wall. Add an additional 15 calendar days to the construction contract time, extending the completion date to January 3, 2025. (COR3).

ADDS \$ 35,949.00

2. Issue a time extension to the contractor for the delay in obtaining the encroachment permit from Caltrans. PFMD and the contractor submitted the encroachment permit application on February 2, 2024 to Caltrans. Caltrans provided the Contractor a temporary encroachment permit on April 18, 2024 to allow the contractor to mobilize and start construction activities. Add an additional 56 calendar days, extending the completion date to February 28, 2025

ADDS \$ 0.00

TOTAL ADD \$ 35,949.00

Section 2. **The new Contract Sum is \$ 843,887.14.**

Section 3. **The new Agreement completion date is February 28, 2025.**

Section 4. The compensation (time and cost) set forth in this Amendment shall comprise the total compensation due the Contractor for the work or change defined in the Amendment, including impact on unchanged work. By signing the Amendment, the Contractor acknowledges and agrees that the stipulated compensation includes payment for all work contained in the Amendment, plus all payment for the interruption of schedules, extended overhead costs, delay, and all impact, ripple effect or cumulative impact on all other work under the Agreement. The signing of the Amendment shall indicate that the Amendment constitutes full mutual accord and satisfaction for the change, and that the time and/or cost under the Amendment constitutes the total equitable adjustment owed the Contractor as a result of the change.

Section 5. All other terms and conditions of the Agreement, and approved change orders, shall remain unchanged.

This Contract 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 Contract. The parties shall be entitled to sign and transmit an electronic signature of this Contract (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 Contract upon request.

SAN BERNARDINO COUNTY

Dawn Rowe

►
Dawn Rowe, Chair, Board of Supervisors

Dated: NOV 05 2024

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

Lynna Mohell
Clerk of the Board of Supervisors
San Bernardino County

By *[Signature]*
Deputy



RASMUSSEN BROTHERS CONSTRUCTION, INC

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

By ► *Michael Rasmussen*

Michael Rasmussen (Oct 25, 2024 15:13 PDT)

(Authorized signature - sign in blue ink)

Name MICHAEL RASMUSSEN

(Print or type name of person signing contract)

Title PRESIDENT

(Print or Type)

Dated: 10/25/2024

Address 40441 GAVILAN MOUNTAIN RD

FALLBROOK, CA 92028

FOR COUNTY USE ONLY

Approved as to Legal Form

Daniel Pasek

Daniel Pasek (Oct 28, 2024 08:40 PDT)

Daniel Pasek, Deputy County Counsel

Date 10/28/2024

Reviewed for Contract Compliance

Scott Hughes

Scott Hughes (Oct 28, 2024 09:18 PDT)

Scott Hughes, Supervising Project Manager

Date 10/28/2024

Reviewed/Approved by Department

Don Day

Don Day (Oct 28, 2024 10:57 PDT)

Don Day, Director
Project and Facilities Management Department

Date 10/28/2024