



Contract Number

21-300 A-3

SAP Number

County Administrative Office

Department Contract Representative	<u>Leonard X. Hernandez</u>
Telephone Number	<u>(909) 387-5425</u>
Contractor	<u>Hood Design Studio Inc.</u>
Contractor Representative	<u>Walter J. Hood</u>
Telephone Number	<u></u>
Contract Term	<u>315 Days</u>
Contract Amount	<u>Not to Exceed \$1,097,391.48</u>
Amendment Amount	<u>\$34,192.80</u>
Total Contract Amount	<u>Not to Exceed \$1,131,584.28</u>
Cost Center	<u>10.10.0984</u>

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, on May 4, 2021, Hood Design Studio Inc. (Artist) and San Bernardino County (County) entered into Contract No. 21-300 (Contract) for the Artist to fabricate the Artwork and deliver the Artwork to the Site for the December 2nd Memorial;

WHEREAS, Sections A.7, A.9, A.20, F.1 and Attachment C of the Contract authorize the County's Chief Executive Officer (CEO) or Chief Operating Officer to approve increases to the Artist Budget, Capital Improvements Budget or Project Budget, in a total amount not to exceed \$102,212.04, for required changes to the Project and unforeseen conditions;

WHEREAS, Artist submitted documentation to the County for increased metal costs of \$49,936.75 due to supply issues associated with the COVID-19 pandemic, and the CEO approved these cost increases on July 16, 2021 under Amendment No. 1 of this Contract;

WHEREAS, as a result of the 50% mockup review, at the County's request, changes were made to the Memorial design to include modifications to the narrative plaque, alcove end caps; glass clamp powder coat; lexan lens for light fixtures to increase the sustainability of the Memorial and provide for the safety of the public and the CEO approved these cost increases in the amount of \$25,334.29 on October 7, 2021 under Amendment No. 2 of this Contract;

WHEREAS, due to increased labor and materials costs, the Artist has requested, on the fabricator's behalf, a revised payment and work milestone schedule under Attachment C of the original contract to reflect:

- Contract Execution and Schedule: 50% of Contract Value;
- County Approved 100% Shop Drawings: 10% of Contract Value;
- County Approved 50% Fabrication: 15% of Contract Value;
- County Approved 100% Fabrication: 10% of Contract Value;
- Artwork Delivery to Site and Approval by Artist and County: 10% of Contract Value;
- Artist Consultation Re: Lighting and Provides Maintenance Plan: 5% of Contract Value; and

WHEREAS, the Artist also proposed replacing the finish of the concrete benches from the craftsman etch finish to the polished concrete finish to improve the bench's comfort and aesthetics for an additional cost of \$33,833.80; and

WHEREAS, the County requested translation of the narrative plaque text in Vietnamese, and the additional cost for this translation is \$359; and

WHEREAS, Artist submitted documentation to the County (See Exhibit 1 to this Amendment, which is incorporated by reference into this Amendment No. 3) detailing the costs of these changes;

WHEREAS, County has reviewed the documentation and finds the revised payment and work milestone schedule, and increased costs are required changes to the Project; and

WHEREAS, the parties desire to amend the Contract to include the revised payment and work milestone schedule and the increased costs.

NOW, THEREFORE, the County and Artist mutually agree to the following amendments to the Contract:

1. The recitals are incorporated by reference into the Contract.
2. The Artist Budget is increased by \$34,192.80 to a not to exceed amount of \$1,131,584.28.
3. Due to the increase in the Artist Budget, the Project Budget is increased to \$1,582,286.98 plus promenade paving removal and replacement costs.
4. The payment amounts in Attachment C will be adjusted to include the increased Contract Amount of \$1,131,584.28, and the following payment and work milestones:
 1. Contract Execution and Schedule: 50% of Contract Value;
 2. County Approved 100% Shop Drawings: 10% of Contract Value;
 3. County Approved 50% Fabrication: 15% of Contract Value;
 4. County Approved 100% Fabrication: 10% of Contract Value;
 5. Artwork Delivery to Site and Approval by Artist (Hood Design Studio) and County: 10% of Contract Value;
 6. Artist Consultation Re: Lighting and Provides Maintenance Plan: 5% of Contract Value.

The amount of the last payment to the Artist may be reduced by County based upon the amount of the \$7,000 contingency utilized for the narrative plaque.

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.
6. All other terms and conditions of Contract No. 21-300 remain in full force and effect.

IN WITNESS WHEREOF, San Bernardino County and the Artist have each caused this Contract to be subscribed by its respective duly authorized officers, on its behalf.

SAN BERNARDINO COUNTY

►

Curt Hagman, Chairman, 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
of the San Bernardino County

By _____
Deputy

HOOD DESIGN STUDIO, INC.

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

By ►

(Authorized signature - sign in blue ink)

Name Walter Hood

(Print or type name of person signing contract)

Title Creative Director

(Print or Type)

Dated: _____

Address 3016 Filbert Street, #2

Oakland, CA 94608

FOR COUNTY USE ONLY

Approved as to Legal Form

►

Julie J. Surber, Principal Asst. County Counsel

Date _____

Reviewed for Contract Compliance

►

Date _____

Reviewed/Approved by Department

►

Date _____

Exhibit 1

Change Order Request

PROJECT: San Bernardino Memorial Park

DATE: November 24, 2021

LOCATION: San Bernardino, CA

TO:

San Bernardino County	Brenton Rankin,	brenton.rankin@res.sbcounty.gov
	Jennifer Costa,	jennifer.costa@res.sbcounty.gov
	Rene Glynn,	rene.glynn@res.sbcounty.gov
Community Arts	Michael Lerner,	michael@community-arts.org
	Elsa Cameron,	elsa@community-arts.org

FROM:

Hood Design Studio	Sarita Schreiber,	Sarita@hooddesignstudio.com
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RE: December 2nd Memorial Bench Change Order Request

Construction Documents for the Dec. 2nd Memorial specify the precast concrete as craftsman etch, a common bench finish intended to be dark in color. HDS received the QCP concrete bench samples on 11/12/21. Upon review of the samples, the craftsman etch concrete samples were rough to the touch and lighter in color than the polished samples. In contrast, the polished concrete samples were smooth to the touch, reflective, and darker in color, producing a desirable elegant finish. Hood Design Studio feels strongly that the change to a polished concrete finish will lend the benches refinement and compliment the high level of finish of the alcove structures, supporting the overall somber and reflective atmosphere of the memorial.

Below are photographs of the craftsman etch vs. the polished sample for the County's reference. These samples will also be provided by HDs at the Dec. 2nd Anniversary ceremony for the County to review in person.





Craftsman etch french grey concrete

Gotham book sandblasted lettering with inpainting



Polished French Grey Concrete, selected by HDS

Gotham Book sandblasted lettering with inpainting, selected by HDS

HOOD
DESIGN
STUDIO

Hood Design Studio's request for a change order for the memorial benches to accommodate a polished finish follows. Please note that polishing will add 2-3 days per bench to the production time, delaying the bench delivery by 2-3 weeks.



CHANGE ORDER REQUEST

Attn: Sarita Flor-Zed Schreiber
Hood Design Studio
3016 Filbert Street
Oakland, CA 94608

Project Location: San Bernardino Memorial
W 4th Street & N Mountain View Ave.
San Bernardino, CA 92415

Date: 11.23.21
Change Order #: 1

Project: December 2nd Memorial

Job Number: 13559

Item #	Description	
Non-taxable Work		
1	Polished French Grey Concrete Bench	\$33,833.80
	Additional material and labor to apply polished finish on fourteen (14) precast benches.	
2		
3		
Taxable Work		
1		\$0.00
2		\$0.00
3		\$0.00

Non-taxable Work Subtotal	\$33,833.80
Taxable Work Subtotal	\$0.00
Change Order Subtotal	\$33,833.80
Estimated Sales Tax	\$0.00
Change Order Grand Total	\$33,833.80

If the above specifications, conditions, and costs meet with your approval, please sign and date below, and return one executed copy.

Owner:	Date:





San Bernardino Memorial
Narrative Plaque - Graphic Design Add Service Request #1
08/09/2021

Estimate

August 9, 2021

TO

Hood Studio
712 Sansome St,
San Francisco, CA 94111

PROJECT

San Bernadino Memorial

PAYMENT INFORMATION

Adrienne Eberhardt Creative
1324 Willard Street #305
San Francisco, CA 94117

EIN: 494-88-3977

SERVICES	HOURS	RATE	TOTAL
Layout additional Vietnamese text.	2	\$95	\$190
HDS Markup		10%	\$19
HDS Design and Administrative Labor	1	\$150	\$150
Total Graphic Add Service			\$359

PAYMENT TERMS

Thank you for your business! All invoices are due on receipt. A \$50 late fee will be applied to payments received later than 30 days of receipt of invoice. If you have any questions please contact Adrienne at 415.420.2087 or ae@adrienneeberhardt.com.

ESTIMATE \$190

THANK YOU FOR YOUR BUSINESS!