



Contract Number

21-975 – A1

SAP Number

Project and Facilities Management Department Project Management

Department Contract Representative	Scott Hughes
Telephone Number	909 387-5000
Contractor	Hamel Contracting, Inc.
Contractor Representative	Grant J. Hamel
Telephone Number	951 600-2783
Contract Term	455 Days
Original Contract Amount	\$680,008
Prior Authorized Change Order No. 1	\$41,406
Prior Authorized Change Order No. 2	\$11,181
Total Contract Prior to Amendment	\$732,595
Amendment Amount	\$25,000
Total Revised Contract Amount	\$757,595
Cost Center	7700003100
Project Name	Fleet Management Fuel Tank Improvement Phase III
WBSE	10.10.0857

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT No. 01 CONTRACT No. 21-975 Fleet Management Fuel Tank Improvement Phase III

The following are amendments to Contract No. 21-975 with Hamel Contracting Inc. for the Fleet Management Fuel Tank Improvement Phase III ("Project").

WHEREAS a construction contract ("Agreement") was entered into between the San Bernardino County ("County"), and Hamel Contracting Inc. ("Contractor"), on December 7, 2021, 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 construction, the Contractor encountered the following conditions: minor design deficiencies and contractor interpretation of the design, resulting in incorrect placement of the fuel tanks as stated in Potential Change Order (PCO) #005.

WHEREAS these conditions and the extent of these conditions 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 Hamel Contracting Inc, have been added to the Agreement:

1. Labor, materials, and equipment to reposition the fuel tanks. Disconnection of piping and appurtenances, crane, rigging, and layout. Removal and installation of anchors and grout, new mounting brackets on fuel tanks for dispensers (PCO #005).

<u>ADDS</u>	<u>\$</u>	<u>25,000</u>
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2. Contract time extension from June 17, 2022, to April 17, 2023, with no dollar amount. This extension of contract time is to accommodate the completion of the change in the scope of work included in this Amendment.

<u>NO COST ADDED</u>	<u>\$</u>	<u>0</u>
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Section 2. **The new Contract Sum is \$757,595.**

Section 3. **The new Agreement completion date is April 17, 2023.**

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. Contractor agrees the time extension granted in this Amendment, constitutes complete compensation for all claims of delay through the date of this Amendment, whether listed above or not, and Contractor hereby waives and releases all claims for additional compensation and time extensions arising out of the above listed Recitals 1 through 2, and any other claims of delay, disruption or other impacts, known or unknown, including extended field or home office overhead, ripple effect or cumulative impact on all other work within the Scope of the Contract, arising through the date of the Amendment. 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

Hamel Contracting Inc.

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



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

By

(Authorized signature - sign in blue ink)

Name _____
(Print or type name of person signing contract)

Title _____
(Print or Type)

Dated: _____

Address _____

FOR COUNTY USE ONLY

Approved as to Legal Form



Katherine Hardy, Deputy County Counsel

Date _____

Reviewed for Contract Compliance



Scott Hughes, Supervising Project Manager

Date _____

Reviewed/Approved by Department



Don Day, Director PFMD

Date _____