

THE INFORMATION IN THIS BOX IS NOT A PART OF THE CONTRACT AND IS FOR COUNTY USE ONLY



Contract Number
22-91 A1

SAP Number

Board of Supervisors

Department Contract Representative	Paloma Hernandez-Barker
Telephone Number	909-387-5423
Contractor	City of Fontana
Contractor Representative	Matthew C. Ballantyne, City Manager
Telephone Number	909-336-3910
Contract Term	02/08/22-06/30/23
Original Contract Amount	Not-to-Exceed \$275,000
Amendment Amount	
Total Contract Amount	Not-to-Exceed \$275,000
Cost Center	1022001000

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, it is the policy of the Board of Supervisors (Board) to work with community partners through services provided by San Bernardino County (County) and contractual agreements to identify programs, projects, and initiatives that support the mission of the County, and to provide services to citizens that promote health, safety, economic well-being, education, recreation, and other public services that enhance the quality of life, and meet the needs of the County's citizens; and

WHEREAS, under Government Code sections 26224 and 26227, the Board may contract with certain entities to provide certain services to County residents; and

WHEREAS, on February 8, 2022 (Item No. 30), the Board approved Contract No. 22-91 (Contract) with the City of Fontana (Contractor) in the not-to-exceed amount of \$275,000 to replace the concrete pool deck and perimeter fencing at the Village of Heritage pool facility for the period of February 8, 2022, through December 31, 2022, with the option for the County Chief Executive Officer to extend the terms of the Contract at the direction of the Contract Representative under Section C.13 of this Contract; and

WHEREAS, the Contractor is requesting to extend the Contract term by an additional six (6) months from the current project termination date of December 31, 2022, to allow for the completion of services; and

WHEREAS, the Second District Supervisor has approved the additional extension of six (6) months from the current termination date of December 31, 2022; and

WHEREAS, under Section D., Term of Contract, the County Chief Executive Officer may extend the term of the Contract, in writing, to allow Contractor to complete all requirements in the Contract under certain conditions described below.

OPERATIVE PROVISIONS OF AMENDMENT NO. 1

NOW, THEREFORE, the County and Contractor mutually agree as follows:

Effective November 18, 2022, Contract No. 22-91 is hereby amended as follows

1. Replace Section D of the Contract in its entirety with the following:

D. TERM OF CONTRACT

The services to be provided by Contractor shall commence February 8, 2022, and shall be completed by June 30, 2023, but may be terminated earlier in accordance with provisions of this Contract.

The County Chief Executive Officer may extend the term of the Contract, in writing, at the direction of the Contract Representative under Section C.13 of this Contract, to allow Contractor to complete all requirements in the Contract under the following conditions:

- a. In aggregate all extensions do not exceed twelve (12) calendar months;
 - b. Are specifically requested by Contractor;
 - c. Will not change the project goals or scope of services;
 - d. Are in the best interests of County and Contractor in performing the scope of services under this Contract; and
 - e. Do not alter the amount of compensation under this Contract.
2. This Amendment No. 1 to Contract No. 22-91 (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.
 3. All other terms and conditions of the Contract, as amended, shall remain in full force and effect as written.

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

SAN BERNARDINO COUNTY

► 
Leonard X. Hernandez, Chief Executive Officer

Dated: 12/7/2020

City of Fontana

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

By 
(Authorized signature - sign in blue ink)

for Name Matthew C. Ballantyne
(Print or type name of person signing contract)

Title City Manager
(Print or Type)

Dated: _____

Address 8353 Sierra Ave
Fontana CA 92335

FOR COUNTY USE ONLY

Approved as to Legal Form

► 
Julie Surber, Principal Assistant County Counsel

Date 11/29/22

Reviewed for Contract Compliance

► _____

Date _____

Reviewed/Approved by Department

► _____

Date _____



County of San Bernardino DELEGATED AUTHORITY – DOCUMENT REVIEW FORM

This form is for use by any department or other entity that has been authorized by Board of Supervisors/Directors action to execute grant applications, awards, amendments or other agreements on their behalf. All documents to be executed under such delegated authority must be routed for County Counsel and County Administrative Office review prior to signature by designee.

Note: This process should NOT be used to execute documents under a master agreement or template, or for construction contract change orders. Contact your County Counsel for instructions related to review of these documents.

Complete and submit this form, along with required documents proposed for signature, via email to the department's County Counsel representative and Finance Analyst. If the documents proposed for signature are within the delegated authority, the department will submit the requisite hard copies for signature to the County Counsel representative. Once County Counsel has signed, the department will submit the signed documents in hard copy, as well as by email, to CAO Special Projects Team for review. If approved, the department will be provided routing instructions as well as direction to submit one set of the executed documents to the Clerk of the Board within 30 days.

For detailed instructions on submission requirements, reference Section 7.3 of the Board Agenda Item Guidelines as the Delegation of Authority does not eliminate the document submission requirements.

Department/Agency/Entity: County Administrative Office

Contact Name: Paloma Hernandez-Barker Telephone: 909-387-5426

Agreement No.: 22-91 Amendment No.: 1 Date of Board Item 02/08/2022 Board Item No.: 30

Name of Contract Entity/Project Name: City of Fontana - Village of Heritage

Explanation of request/Special Instructions:

On 02/08/22 (item No. 30) The Board of Supervisors approved Contract No. 22-91 with the City of Fontana in the not to exceed amount of \$275,000 to provide funding to replace the concrete pool deck and perimeter fencing at the Village of Heritage pool facility for the period of February 8, 2022 through December 31, 2022, with the option for the County Chief Executive Officer to extend the terms of the contract at the direction of the Contract Representative under Section C.13 of the Contract. CAO Finance finds that the Contract meets all requirements in Section D and requests approval of the Contractor's request to extend the Contract by an additional six-months, from 12/31/22 to 06/30/23.

Insert check mark that the following required documents are attached to this request:

- ☒ Documents proposed for signature (Note: For contracts, include a signed non-standard contract coversheet for contracts not submitted on a standard contract form).
- ☐ Board Agenda item that delegated the authority

Department Routed to County Counsel	County Counsel Name: <u>Julie Surber</u>	Date Sent: <u>11/28/22</u>
Reviewing County Counsel Use Only	Review Date <u>11/29/22</u> <u>Julie Surber</u> Signature	Determination: <input checked="" type="checkbox"/> Within Scope of Delegated Authority <input type="checkbox"/> Outside Scope of Delegated Authority
CAO-Special Projects Use Only	Review Date <u>12/7/22</u> <u>AB</u> Signature	Disposition: <input checked="" type="checkbox"/> Route for signature to: ____ Chair <input checked="" type="checkbox"/> CEO ____ Department ____ Return to Department for preparation of agenda item