



Contract Number
15-445 A-1

SAP Number
10.10.0175

Real Estate Services Department Project Management Division

Department Contract Representative	Joel Garnica
Telephone Number	(909) 387-5000
Contractor	Abboud Diamond Construction, Inc.
Contractor Representative	John Abboud
Telephone Number	(951) 453-6171
Contract Term	
Original Contract Amount	\$248,729.00
Amendment Amount	\$498,749.00
Authorized Change Orders	\$0.00
Total Contract Prior to This Change	\$248,729.00
Total Revised Contract Amount	\$747,478.00
Cost Center	10.10.0175

IT IS HEREBY AGREED AS FOLLOWS:

AMENDMENT No. 1 CONTRACT No.

PROJECT NAME: Onyx Peak Solar Upgrade Project, Project No. 10.10.0175 (6W27)

The following are amendments to Contract No. 15-445 with Diamond Construction, Inc. for the Onyx Peak Solar Upgrade Project (Project No. 10.10.0175).

WHEREAS, a construction contract ("Agreement") was entered into between the County of San Bernardino ("County"), and Abboud Diamond Construction, Inc. ("Contractor"), on October 2, 2018 to perform certain work as described in the Project Bid Documents for construction of the Project;

WHEREAS, following the award of the construction contract and prior to the start of construction a fire destroyed an existing generator and shelter, located adjacent to the site of the solar system upgrades associated with this Contract 15-445, both of which are necessary to upgrade and/or support the Onyx Peak 800 MHz Antenna Site;

WHEREAS, Bulletin No. 02 was released by IMEG Corp., (Engineer of Record) on June 11, 2019, adding the replacement of a Generator Building, New Slab, Electrical, (2) Propane tanks and (2) New Generators into the scope of work;

WHEREAS, Abboud Diamond Construction, Inc. and the County agreed to defer the start of construction until the additional work associated with Bulletin No. 02 was completed and approved;

WHEREAS, these conditions and the extent of these conditions 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 Abboud Diamond Construction, Inc., have been added to the Agreement:

1. Labor, materials and equipment to provide all modifications associated with above work, attached as Exhibit "A", which incorporated IMEG Corp., scope modifications, released on June 11, 2019, that were not included in the base bid.

ADDS	\$	498,749.00
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2. No additional items.

TOTAL ADDS TO THIS AMENDMENT	\$	498,749.00
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Section 2. **The new Contract Sum is \$747,478.00**

Section 3. The new completion date is revised to: April 10, 2020.

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 and 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 amendments and change orders, shall remain unchanged.

BOARD OF SUPERVISORS

►

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 Monnell
Clerk of the Board of Supervisors
of the County of San Bernardino

By _____
Deputy

Abboud Diamond Construction, Inc.

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

By ► _____
(Authorized signature - sign in blue ink)

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

Title _____
(Print or Type)

Dated: _____

Address P.O. Box 6230

Moreno Valley, CA 92554

Approved as to Legal Form	Reviewed for Contract Compliance	Reviewed/Approved by Department
► Katherine Hardy, Deputy County Counsel	► Rene Glynn, Supervising Project Manager	► Darlynn M. Wissert, Deputy Director, PMD
Date _____	Date _____	Date _____