



**Contract Number**

19-254 A1

**SAP Number**

## **Real Estate Services Department - Project Management Division**

<b>Department Contract Representative</b>	Jennifer Costa
<b>Telephone Number</b>	(909) 387-5000
<b>Contractor</b>	D. Burke Mechanical Corporation
<b>Contractor Representative</b>	Kevin Burke
<b>Telephone Number</b>	(951) 279-7700
<b>Contract Term</b>	1 year
<b>Original Contract Amount</b>	\$3,000,000
<b>Amendment Amount</b>	\$1,600,000
<b>Total Revised Contract Amount</b>	\$4,600,000
<b>Cost Center</b>	

**IT IS HEREBY AGREED AS FOLLOWS:**

### **AMENDMENT No. 1 CONTRACT No. 19-254 Mechanical Job Order Contracts – MJOC11**

The following are amendments to Contract No. 19-254 with D. Burke Mechanical Corporation for the Mechanical Job Order Contracts – MJOC11 ("Project").

**WHEREAS**, a construction contract ("Agreement") was entered into between the County of San Bernardino ("County"), and D. Burke Mechanical Corporation. ("Contractor"), on April 30, 2019 to perform certain work as described in the Project Bid Documents for the Project;

**NOW THEREFORE**, the Agreement is hereby amended as follows:

Section 1. The following changes have been added to the Agreement:

**Replace Article V. FISCAL PROVISIONS, Subsection A. with the following:**

- A. The contract is a competitively bid, firm fixed priced indefinite quantity contract. It includes an ongoing series of individual Projects, detailed repair and construction tasks and specifications, at different locations throughout the County. The bid documents include a Construction Task Catalog® containing construction tasks with preset Unit Prices. It is placed with a Contractor for the accomplishment of repair, alteration, modernization, rehabilitation, construction, etc., of buildings, structures, or other real property. Ordering is accomplished by the issuance of a Job Order against the Contract. The Minimum Contract Value is \$25,000, except if the Contract is terminated under Section II, Paragraph C due to the termination of the JOC System License between Contractor and Gordian. Contractor acknowledges that there is no minimum value for individual Job Orders issued under this Contract. The potential Maximum Contract Value is \$4,600,000. The Contractor shall perform all Work required, necessary, and proper for or incidental to completing the Work called for in each individual Job Order issued against this Unit Price Contract using the Mechanical Construction Task Catalog® (CTC) and Technical Specifications incorporated herein using the following adjustment factors:

**Zone 1, Adjustment Factor 1:** Contractor shall perform any and all functions called for in the Contract during Normal Working Hours (7:00AM to 5:00PM Monday through Friday) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

0.9000

Utilize four decimal places

**Zone 1, Adjustment Factor 2:** Contractor shall perform any and all functions called for in the Contract during Other Than Normal Working Hours (5:01PM to 6:59AM Monday through Friday, Saturday, Sunday and County holidays) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

0.9600

Utilize four decimal places

**Zone 1, Adjustment Factor 3:** Contractor shall perform any or all functions called for in the Contract and will be required to respond within 24 Hours, upon notification; during Normal Working Hours (7:00AM to 5:00PM Monday through Friday) and during Other Than Normal Working Hours (5:01PM to 6:59AM Monday through Friday, Saturday, Sunday and County holidays) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

0.9700

Utilize four decimal places

**Zone 1, Adjustment Factor 4:** Contractor shall perform any or all functions called for in the Contract for Restricted Area Projects, such as Sheriff's Stations, Jails, Hospitals, and California Office of Statewide Health Planning and Development (OSHPD) Facilities, during Normal Working Hours (7:00AM to 5:00PM Monday through Friday) and during Other Than Normal Working Hours (5:01PM to 6:59AM Monday through Friday, Saturday, Sunday and County holidays) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

1.1200

Utilize four decimal places

**Zone 2, Adjustment Factor 5:** Contractor shall perform any or all functions called for in the Contract during Normal Working Hours (7:00AM to 5:00PM Monday through Friday) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

1.1700

Utilize four decimal places

**Zone 2, Adjustment Factor 6:** Contractor shall perform any or all functions called for in the Contract during Other Than Normal Working Hours (5:01PM to 6:59AM Monday through Friday, Saturday, Sunday and County holidays) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

1.6000

Utilize four decimal places

**Zone 2, Adjustment Factor 7:** Contractor shall perform any or all functions called for in the Contract and will be required to respond within 24 Hours, upon notification; during Normal Working Hours (7:00AM to 5:00PM Monday through Friday) and during Other Than Normal Working Hours (5:01PM to 6:59AM Monday through Friday, Saturday, Sunday and County holidays) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

1.6500

Utilize four decimal places

**Zone 2, Adjustment Factor 8:** Contractor shall perform any or all functions called for in the Contract for Restricted Area Projects, such as Sheriff's Stations, Jails, Hospitals, and California Office of Statewide Health Planning and Development (OSHPD) Facilities, during Normal Working Hours (7:00AM to 5:00PM Monday through Friday) and during Other Than Normal Working Hours (5:01PM to 6:59AM Monday through Friday, Saturday, Sunday and County holidays) in the quantities specified in individual Job Orders against this contract for the unit price sum specified in the CTC multiplied times the adjustment factor of:

1.7000

Utilize four decimal places

[illegible]

Section 2. **The new Contract Sum is \$4,600,000.**

Section 3. **The new Agreement completion date remains April 29, 2020.**

Section 4. All other terms and conditions of the Agreement, and approved 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 Monell  
Clerk of the Board of Supervisors  
of the County of San Bernardino

By \_\_\_\_\_  
Deputy

D. Burke Mechanical Corporation

\_\_\_\_\_  
(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: \_\_\_\_\_  
1925 Tandem Way  
Norco, CA 92860

Address \_\_\_\_\_  
\_\_\_\_\_

Approved as to Legal Form

►

Katherine Hardy, Deputy County Counsel

Date \_\_\_\_\_

Reviewed for Contract Compliance

►

Renè Glynn, Supervising Project Manager

Date \_\_\_\_\_

Reviewed/Approved by Department

►

Jennifer Costa, Assistant Director

Date \_\_\_\_\_