



Contract Number
19-833 A1

SAP Number

ORIGINAL

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

Department Contract Representative	Jennifer Costa
Telephone Number	(909) 387-5000
Contractor	Mesa Energy Systems, Inc.
Contractor Representative	Bryan Gilbert
Telephone Number	(949) 460-0460
Contract Term	1 year
Original Contract Amount	\$3,000,000
Amendment Amount	\$1,600,000
Total Revised Contract Amount	\$4,600,000
Cost Center	

IT IS HEREBY AGREED AS FOLLOWS:

**AMENDMENT No. 1
CONTRACT No. 19-833
Mechanical Job Order Contracts – MJOC12**

The following are amendments to Contract No. 19-833 with Mesa Energy Systems, Inc. for the Mechanical Job Order Contracts – MJOC12 ("Project").

WHEREAS, a construction contract ("Agreement") was entered into between the County of San Bernardino ("County"), and Mesa Energy Systems, Inc. ("Contractor"), on December 17, 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:

1.3589

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:

1.4900

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:

1.4990

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:

1.5300

Utilize four decimal places

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:

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:

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:

Utilize four decimal places

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

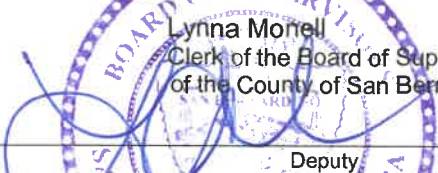
Section 3. The new Agreement completion date remains December 16, 2020.

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: **APR 07 2020**
SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

By 
Lynna Monrell
Clerk of the Board of Supervisors
of the County of San Bernardino
Deputy

Mesa Energy Systems, Inc.
(Print or type name of corporation, company, contractor, etc.)

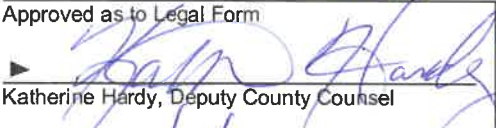
By ► 
(Authorized signature - sign in blue ink)

Name Bryan Gilbert
(Print or type name of person signing contract)


Title Vice President
(Print or Type)

Dated: 3/5/2020
2 Cromwell
Irvine, CA 92618

Address _____

Approved as to Legal Form
► 
Katherine Hardy, Deputy County Counsel
Date 3-5-20

Reviewed for Contract Compliance
► 
Rene Glynn, Supervising Project Manager
Date 3-5-2020

Reviewed/Approved by Department
► 
Jennifer Costa, Assistant Director
Date 3-5-2020