



Contract Number

~~15-445 A-2~~ **18-755 A-2**

SAP Number

10.10.0175

ORIGINAL

**Real Estate Services Department
Project Management Division**

**Department Contract Representative
Telephone Number**

Joel Garnica
909-387-5000

**Contractor
Contractor Representative
Telephone Number
Contract Term
Original Contract Amount
Administrative Change No. 1
Amendment No. 1 Amount
Amendment No. 2 Amount
Total Contract Amount
Cost Center**

Abboud Diamond Construction, Inc
John Abboud
951-453-6171

\$248,729.00
\$ 18,396.00
\$498,749.00
\$ 28,369.70
\$794,243.70
10.10.0175

IT IS HEREBY AGREED AS FOLLOWS:

**AMENDMENT No. 2
CONTRACT No. 15-445
PROJECT NAME: Onyx Peak Solar Upgrade Project, Project No. 10.10.0175 (6W27)**

The following are amendments to Contract No. 15-445 with Abboud 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 Agreement and during the course of construction, the Contractor encountered the following unforeseen conditions; during grading and coring of pile foundations for the new Solar Arrays, contractor encountered large rocks and boulders underground that made it difficult for the contractor to complete his scope of work. In order for the contractor to complete the scope work contractor procure additional labor force hours, material and specialized

equipment to break through the unforeseen large boulders and rock that was encountered underground (see Change Order Request (COR) No. 005 and 006, which can be found in the project file); and

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, have been added to the Agreement:

1. Change Order Request (COR) No. 005 and 006, includes labor, equipment and material, including but not limited to procurement of additional labor force hours, material and specialized equipment, to mitigate the unforeseen underground conditions encountered during erection of the Solar Arrays.

<u>ADDS</u>	<u>\$28,369.70</u>
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<u>TOTAL ADDS THIS AMENDMENT</u>	<u>\$28,369.70</u>
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Section 2. **The new Contract Sum is \$ 794,243.70.**

Section 3. **The Agreement completion date remains December 15, 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. 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.

COUNTY OF SAN BERNARDINO

Abboud Diamond Construction, Inc.
1849 W. Redlands Blvd., #101
Redlands, CA 92373

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

► 
Curt Hagman, Chairman, Board of Supervisors

By ► 
(Authorized signature - sign in blue ink)

John Abboud


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

Title President
(Print or Type)

Dated: 10/29/2020

Address _____

Dated: NOV 17 2020
SIGNED AND CERTIFIED THAT A COPY OF THIS
DOCUMENT HAS BEEN DELIVERED TO THE
CHAIRMAN OF THE BOARD

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

FOR COUNTY USE ONLY

Approved as to Legal Form

► _____
Katherine Hardy, Deputy County Counsel

Date _____

Reviewed for Contract Compliance

► 
René Gynn, Supervising Project Manager

Date 10.30.2020

Reviewed/Approved by Department

► 
Ben Day, Interim Deputy Director, PMD

Date 10/30/2020

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By _____

Deputy

By 

(Authorized signature - sign in blue ink)

John Abboud

Name _____

(Print or type name of person signing contract)

Title President

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