



Contract Number

21-300 A-2

SAP Number

County Administrative Office

**Department Contract Representative
Telephone Number**

Leonard X. Hernandez
(909) 387-5425

**Contractor
Contractor Representative
Telephone Number
Contract Term
Contract Amount
Amendment Amount
Total Contract Amount
Cost Center**

Hood Design Studio Inc.
Walter J. Hood
315 Days
Not to Exceed \$1,072,057.19
\$25,334.29
Not to Exceed \$1,097,391.48
10.10.0984

IT IS HEREBY AGREED AS FOLLOWS:

WHEREAS, on May 4, 2021, Hood Design Studio Inc. (Artist) and San Bernardino County (County) entered into Contract No. 21-300 (Contract) for the Artist to fabricate the Artwork and deliver the Artwork to the Site for the December 2nd Memorial;

WHEREAS, Sections A.7, A.9, A.20, F.1 and Attachment C of the Contract authorize the County's Chief Executive Officer (CEO) or Chief Operating Officer to approve increases to the Artist Budget, Capital Improvements Budget or Project Budget, in a total amount not to exceed \$102,212.04, for required changes to the Project and unforeseen conditions;

WHEREAS, Artist submitted documentation to the County for increased metal costs of \$49,936.75 due to supply issues associated with the COVID-19 pandemic, and the CEO approved these cost increases on July 16, 2021 under Amendment No. 1 of this Contract;

WHEREAS, as a result of the 50% mockup review, at the County's request, changes were made to the Memorial design to include modifications to the narrative plaque, alcove end caps; glass clamp powder coat; lexan lens for light fixtures to increase the sustainability of the Memorial and provide for the safety of the public;

WHEREAS, Artist submitted documentation to the County (See Exhibit 1 to this Amendment, which is incorporated by reference into this Amendment No. 2) detailing the costs of these changes;

WHEREAS, County has reviewed the documentation and finds the increased costs are required changes to the Project; and

WHEREAS, the parties desire to amend the Contract to include these increased costs.

NOW, THEREFORE, the County and Artist mutually agree to the following amendments to the Contract:

1. The recitals are incorporated by reference into the Contract.
2. The Artist Budget is increased by \$25,334.29 to a not to exceed amount of \$1,097,391.48.
3. Due to the increase in the Artist Budget, the Project Budget is increased to \$1,548,094.18 plus promenade paving removal and replacement costs.
4. The payment amounts in Attachment C will be adjusted to include the increased Contract Amount of \$1,097,391.48.
5. This 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.
6. All other terms and conditions of Contract No. 21-300 remain in full force and effect.

IN WITNESS WHEREOF, San Bernardino County and the Artist 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: 10/7/2021

HOOD DESIGN STUDIO, INC.

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

By ► Walter Hood
(Authorized signature - sign in blue ink)

Name Walter Hood
(Print or type name of person signing contract)

Title Creative Director
(Print or Type)

Dated: 10_9_21

Address 3016 Filbert Street, #2
Oakland, CA 94608

FOR COUNTY USE ONLY

Approved as to Legal Form

► 
Julie J. Surber, Principal Asst. County Counsel

Date 10/1/21

Reviewed for Contract Compliance

► _____
Date _____

Reviewed/Approved by Department

► _____
Date _____

Exhibit 1

CINNABAR

December 2nd Memorial Mockup Additions

Description	Cost
1 Alcove End Caps and Fascia Material and labor to fabricate end caps and modified fascia as discussed during 7.9.21 Mockup Review for fourteen (14) alcoves. Includes hardware, electroplating and painting.	\$11,091.50
2 Loran Lens Material and labor to fabricate Loran lens for light channel. Also includes hardware for securing lenses.	\$18,270.00
3 Beach Brow Fourteen (14) stainless steel brows for pre-cast bench name plate. Includes metallic powder coat (exact color TBD) and hardware.	\$1,811.43
4 Glass Clamp Powder Coat Metallic powder coat for eighty-four (84) glass clamps (exact color TBD).	\$2,331.00
5 Additional 4x4" Glass Samples Allowance for addition fourteen (14) glass samples if families need additional sampling.	\$702.00
6 Removable Conduit Cover Plate Fourteen (14) plates to conceal conduit from stub up to embedded wiring junction in bench.	INCL.
7 Coil Curtain Gathers Additional material and labor to install coil curtain with gathers every 6"	\$6,874.88
8 Commemorative Plaque Modifications Additional material, labor, and graphics production cost to produce 48" x 72" flat plaque section with Vietnamese text.	\$1,374.85
9 Technical Design Eight (8) hours of Technical Design time to draw additional elements.	INCL.
10 Tax	\$1,121.60
Mockup Additions Total	\$43,575.59

13559 December 2nd Memorial
10.01.21

Cost Savings From Coil Curtain

Element	Cost
Horizontal Coil Curtain (per 4.27.20 Estimate) Included gold powder coated 1/2" weave 16 ga. aluminum coil curtain and labor and hardware to capture horizontal folds.	\$ 177,322.74
Vertical Coil Curtain Includes gold powder coated 1/2" weave 16 ga. aluminum coil curtain labor and hardware to gather curtains at interval TBD.	\$ 159,081.44
A	\$ 18,241.30
Markup Additions Less Cost Savings From Coil Curtain	\$25,334.29



Additional Cost Saving Analysis

Steel Alcove Cladding Pricing

Sheet Dimensions	Cost	A from 3/4" sheet
1/4" - 4 x 10' sheets (Outer Panels) *Existing	\$ 45,026.10	\$
3/16" - 4 x 10' sheets (Outer Panels)	\$ 38,605.50	\$ 6,420.60
1/8" - 4 x 10' sheets (Outer Panels)	\$ 25,200.00	\$ 18,026.10
1/4" - 4 x 8' sheets (Inner Panels) *Existing	\$ 36,020.88	-\$
3/16" - 4 x 8' sheets (Inner Panels)	\$ 30,886.20	\$ 5,134.68
1/8" - 4 x 8' sheets (Inner Panels)	\$ 20,160.00	\$ 15,860.88

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10.01.21



County of San Bernardino
DELEGATED AUTHORITY – DOCUMENT REVIEW FORM

CLERK OF THE
BOARD OF SUPERVISORS
PM 1:02

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: Stephenie Shea

Telephone: 387-4919

Agreement No.: 21-300 Amendment No.: _____ Date of Board Item 5/4/21 Board Item No.: 32


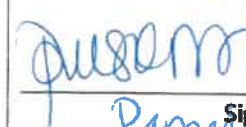
Name of Contract Entity/Project Name: Contract with Hood Design Studios for Phase C of 12/2 Memorial Project

Explanation of request/Special Instructions:

After the 50% Mock-Up review that occurred on July 9, 2021, the County requested changes to the 12/2 Memorial design to enhance the sustainability of the Memorial and increase the safety of the public. The requested changes resulted in increased costs of \$25,334.29. Under the authority delegated to the CEO on 5/4/21 (Item No. 32), the CEO may approve increases to the project budget or CIP budget in a total amount not to exceed \$102,212.04 for required changes to the project and unforeseen conditions. This increase is a required change, and documents are attached for CEO signature. Under Amendment No. 1 to Contract 21-300, the CEO approved a contract increase of \$49,936.75, leaving \$26,941 under the CEO's authority, including the increased amount for this Amendment No. 2.

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: Julie Surber	Date Sent:
Reviewing County Counsel Use Only	Review Date <u>10/1/21</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>10/6/2021</u>  Signature <u>Pamela S. Williams</u>	Disposition: <input checked="" type="checkbox"/> Route for signature to: ____ Chair <input checked="" type="checkbox"/> CEO ____ Department ____ Return to Department for preparation of agenda item