

ATTACHMENT 5

Amendment No. 2 to the Skanska USA Building Inc. Agreement for Services of Independent Contractor

**AMENDMENT No. 2 to AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR
with Skanska USA Building Inc.
(BC21275)**

This Amendment No. 2 to Agreement for Services of Independent Contractor (“Second Amendment”) is made by and between THE COUNTY OF SANTA BARBARA (hereinafter “County”) and Skanska USA Building Inc., a Delaware corporation (hereinafter “CONTRACTOR”).

WHEREAS, on February 1, 2022, the parties hereto entered into an Agreement for Services of Independent Contractor (BC21275), as amended by that certain Amendment No. 1 dated October 18, 2022 (as amended by Amendment No. 1, the “Agreement”); and

WHEREAS, the parties hereto desire to amend the Agreement in order to (i) increase the maximum contract amount and (ii) add federal clauses.

NOW, THEREFORE, County and CONTRACTOR agree as follows:

1. Exhibit B to the amended Agreement is hereby amended by replacing Paragraph A of Exhibit B to read in its entirety as follows:

“For CONTRACTOR services to be rendered under this Agreement (“Services”), CONTRACTOR shall be paid a total contract amount, including cost reimbursements, not to exceed \$1,645,000. Hourly rates for Services performed at COUNTY’s request pursuant to this Agreement are set forth in **Exhibit B-1**, attached hereto and incorporated herein by this reference; **provided, however**, that the maximum hourly rate for Project Management Services shall not exceed \$175 per hour for all levels of Project Manager Classifications (i.e., Project Manager, Project Manager II, and Senior Project Manager).”

2. CERTIFICATION OF SIGNATORIES: Each of the signatories to this Second Amendment represents and warrants that such signatory is duly authorized to execute this Second Amendment, and that no additional signatures are required to bind such Party to its terms and conditions, or to carry out any of such Party’s duties or obligations hereunder. The Parties each represent and warrant that:
 - (a) This Second Amendment has been duly authorized, executed, and delivered by such Party and constitutes the legal, valid, and binding obligation of such Party.
 - (b) There are no actions, suits, or proceedings pending or, to the knowledge of such Party, threatened against or affecting such Party, at law or at equity or before any governmental authority that would impair such Party's ability to perform its obligations under this Second Amendment.
 - (c) The performance of this Second Amendment will not result in any breach or violation of, or constitute a default under, any other contract or agreement to which CONTRACTOR is a party or which is otherwise binding on CONTRACTOR. CONTRACTOR agrees that it shall provide to COUNTY, upon COUNTY’s request, evidence that the execution and delivery of this Second Amendment has been duly authorized by CONTRACTOR.
3. This Second Amendment may be executed in counterparts, each of which shall be deemed to be an original, and all of such counterparts shall together constitute one executed original instrument.

COUNTY SIGNATURE PAGE

Amendment No. 2 to the Agreement for Services of Independent Contractor (**BC21275**) **by and** between the **County of Santa Barbara** and **Skanska USA Building Inc.**

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to be effective as of the first date fully executed by all of the parties hereto.

ATTEST:

MONA MIYASATO,
COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By: _____
Deputy Clerk

COUNTY OF SANTA BARBARA

By: _____
STEVE LAVAGNINO, CHAIR
Board of Supervisors

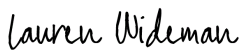
Date: _____

ADDITIONAL COUNTY SIGNATURE PAGE

Amendment No. 2 to the Agreement for Services of Independent Contractor (**BC21275**) by and between the **County of Santa Barbara** and **Skanska USA Building Inc.**

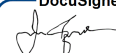
APPROVED AS TO FORM:

RACHEL VAN MULLEM
COUNTY COUNSEL

DocuSigned by:

By: 8F464D822C84458...
Deputy County Counsel


APPROVED AS TO ACCOUNTING FORM:

BETSY SCHAFFER, CPA, CPFO
AUDITOR-CONTROLLER

DocuSigned by:

By: 8BAAEA15901943F...
Deputy


APPROVED AS TO FORM:

RISK MANAGER

DocuSigned by:

By: DC240AC1E64247D...
Risk Manager

RECOMMENDED FOR APPROVAL:

KIRK LAGERQUIST, DIRECTOR
GENERAL SERVICES DEPARTMENT

DocuSigned by:

By: 19AEDA90054E4GE...
Department Head

CONTRACTOR SIGNATURE PAGE

Amendment No. 2 to the Agreement for Services of Independent Contractor (**BC21275**) by and between the **County of Santa Barbara** and **Skanska USA Building Inc.**

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to be effective as of the first date fully executed by all of the parties hereto.

CONTRACTOR:

Skanska USA Building Inc.
633 W. Fifth Street, 68th Fl
Los Angeles, California 90071

DocuSigned by:
John Maloblocki
By: _____
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Name: John Maloblocki
Title: Vice President