

LAKE CACHUMA RESERVOIR PROJECT  
AUTHORIZED CONTRACT AMENDMENT  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT )  
WITH BROUGH CONSTRUCTION, INC. ) AMENDMENT NO. 2  
FOR THE LAKE CACHUMA RESERVOIR PROJECT )  
LAKE CACHUMA, CA )

WHEREAS, the County of Santa Barbara (COUNTY) and BROUGH CONSTRUCTION, INC. (CONTRACTOR), 634 Prinz Road, Arroyo Grande, California, 93420, entered into a contract dated April 19 2011, for the amount of SIX HUNDRED NINETY-FOUR THOUSAND SIX HUNDRED NINETY DOLLARS (\$694,690.00) for the Lake Cachuma Reservoir Project, Project Number 8717, Lake Cachuma, California; and

WHEREAS, it has been deemed necessary by the COUNTY to make the following alterations known as Amendment No. 2, which is a change order requiring approval by the Board of Supervisors, for a total of NINE THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$9,194.85) and a zero (0) day time extension to the Contract period; and

WHEREAS, CONTRACTOR will perform the alterations stated in "Exhibit A" and attached hereto, for a total addition of NINE THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$9,194.85) and a zero (0) day time extension to the Contract period.

NOW, THEREFORE, the Agreement is amended to increase the contract amount by NINE THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$9,194.85), for a new contract amount as follows:

Section 1:

Paragraph 5 of said Contract is hereby amended to read as follows:

**5. PAYMENT:** As full compensation for furnishing all labor, supervision, overhead, materials and equipment and for doing all the work completed and embraced in this Agreement and

subject to adjustments and liquidated damages, if any, as provided in the Contract Documents, the base amount to be paid to the CONTRACTOR for satisfactory completion of all requirements of the Contractor under this Agreement is and shall be SIX HUNDRED NINETY-FOUR THOUSAND SIX HUNDRED NINETY DOLLARS (\$694,690.00), plus Amendment No. 1 for FORTY-SEVEN THOUSAND SEVENTY-FOUR DOLLARS AND FIFTY CENTS (\$47,074.50), plus Amendment No. 2 for NINE THOUSAND ONE HUNDRED NINETY-FOUR DOLLARS AND EIGHTY-FIVE CENTS (\$9,194.85) for a total Contract amount of SEVEN HUNDRED FIFTY THOUSAND NINE HUNDRED FIFTY-NINE DOLLARS AND THIRTY-FIVE CENTS (\$750,959.35), to be paid as provided in the Contract Documents dated April 19, 2011. The CONTRACTOR assumes and will provide against any and all loss or damage arising out of the nature of the work undertaken, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the COUNTY, and assumes any and all expenses incurred by or in consequence of suspension or discontinuance of the work, for well and faithfully completing the work and the whole thereof, in the manner and to the requirements of the Contract and directions of the County Representative, hereunder. The COUNTY will have the right to audit the Contractor's project records. Records must be made available in a form satisfactory to the Santa Barbara County Auditor-Controller.

Section 2:

Paragraph 2 of the Contract is hereby amended by the addition of the following language:

Items of work to be performed by the CONTRACTOR shall include all items stated in "Exhibit A," incorporated by this reference and attached hereto.

2. WORK

Section 3

This Contract Amendment, along with the consent of the CONTRACTOR attached hereto, shall constitute a contract between the County of Santa Barbara and Brough Construction, Inc. All other sections of the Agreement between the parties shall remain in full force and effect.

Summary of Contract Compensation and Time Alterations:

Original Contract amount	\$ 694,690.00
Amendment No. 1 (Change Orders 1-8) previously executed	\$ 47,074.50
<b>Amendment No. 2</b> (Change Order 9)	<u>\$ 9,194.85</u>
Total Revised Contract Amount	<b>\$ 750,959.35</b>
Original Contract Completion Date	November 21, 2011
Amended Contract Completion Date	December 21, 2011
Total number of days added, Amendment No. 2	Zero (0)
Revised Contract Completion Date	December 21, 2011

**IN WITNESS HEREOF**, the parties have executed this Agreement to be effective on the date executed by County.

**COUNTY**

*As per Recommendations a) and b) herein, execution of this document by the County will commence upon return of Contractor's executed documents.*

By: \_\_\_\_\_

Chair, Board of Supervisors  
County of Santa Barbara

**ATTEST:**  
CHANDRA L. WALLAR  
CLERK OF THE BOARD

**CONTRACTOR**  
BROUGH CONSTRUCTION, INC.

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

By: \_\_\_\_\_  
Jeff Brough, President

**APPROVED AS TO FORM:**  
DENNIS A. MARSHALL,  
COUNTY COUNSEL

**APPROVED AS TO ACCOUNTING FORM:**  
ROBERT W. GEIS, CPA  
AUDITOR-CONTROLLER

By: \_\_\_\_\_  
Deputy County Counsel

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

**APPROVED AS TO FORM:**  
RAY AROMATORIO, ARM, AIC  
RISK MANAGER

By: \_\_\_\_\_  
Risk Manager

LAKE CACHUMA FIRE SUPPRESSION RESERVOIR  
PROJECT NO. 8717  
AMENDMENT NO. 2

EXHIBIT A

change order	9	Labor and miscellaneous materials for installation of complete solar system, underground conduit, conduit in existing reservoir, float switch, pulling, termination and labeling of conductors, start up and testing per Sheets E1, E2 and E3. Includes conduit for future telemetry/automation.	\$	9,194.85
			TOTAL:	\$ 9,194.85