

EMERGENCY OPERATIONS CENTER  
AUTHORIZED CONTRACT AMENDMENT  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT )  
WITH MELCHIORI CONSTRUCTION COMPANY INC. ) AMENDMENT NO. 5  
FOR THE EMERGENCY OPERATIONS CENTER )  
SANTA BARBARA, CA )

WHEREAS, the County of Santa Barbara (COUNTY) and MELCHIORI CONSTRUCTION COMPANY, INC. (CONTRACTOR), 809 De La Vina Street, Santa Barbara, CA, 93101, entered into a contract agreement dated January 15, 2010 (AGREEMENT), for the amount of THREE MILLION FIVE HUNDRED EIGHTY-SIX THOUSAND THIRTEEN DOLLARS AND ZERO CENTS (\$3,586,013.00) for the Emergency Operations Center, Project Number 8666, Santa Barbara California; and

WHEREAS, the General Conditions permit alterations in the cumulative amount not to exceed that stipulated in 20142 of the California Public Contract Code, or \$210,000 for this contract, provided they are specified in writing, and are agreed upon by the CONTRACTOR and the Director of the General Services Department or his Designee; and

WHEREAS, it has been deemed necessary by the COUNTY'S Director of General Services (through Designee, Grady Williams, P.E., Manager of Capital Projects Division), to alter the cumulative amount through Change Orders (Exhibit A) totaling ONE HUNDRED NINETY FIVE THOUSAND SIX HUNDRED SIXTY FIVE DOLLARS (\$195,665.00) and a fifty-nine (59) calendar day time extension in the Contract period, which were specified in writing and previously executed by the COUNTY and the CONTRACTOR, and herein referred to as Amendment No. 5; and

WHEREAS, CONTRACTOR will perform the alterations stated in "Exhibit A" and attached hereto, for a total addition of ONE HUNDRED NINETY FIVE THOUSAND SIX HUNDRED SIXTY FIVE DOLLARS (\$195,665.00) and a fifty-nine (59) calendar day time extension in the Contract period for a new cumulative 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 the original contract amount of THREE MILLION FIVE HUNDRED EIGHTY-SIX THOUSAND THIRTEEN DOLLARS AND ZERO CENTS (\$3,586,013.00), plus previous changes amending the contract to FOUR MILLION TWO HUNDRED SIXTY FIVE THOUSAND SIX HUNDRED ONE DOLLARS AND EIGHTY EIGHT CENTS \$4,265,601.88, plus Amendment No. 5 for ONE HUNDRED NINETY FIVE THOUSAND SIX HUNDRED SIXTY FIVE DOLLARS (\$195,665.00), for a revised total contract amount of FOUR MILLION FOUR HUNDRED SIXTY ONE THOUSAND TWO HUNDRED SIXTY SIX DOLLARS AND EIGHTY EIGHT CENTS (\$4,461,266.88), to be paid as provided in the Contract Documents dated October 26, 2009. 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 Melchiori Construction Company, 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	\$3,586,013.00
Amendment No. 2 (Amendment 1 used for other purpose)	\$528,170.90
Amendment No. 3	\$15,214.98
Amendment No. 4	<u>\$136,203.00</u>
Total Contract with Previous Amendments	\$4,265,601.88
Amendment No.5	<u>\$195,665.00</u>
<b>Revised Contract Amount</b>	<b>\$4,461,266.88</b>
Original Contract Completion Date	January 10, 2011
Total number of days extension issued to date	Fifty Nine (59)
Current Contract Completion Date	March 11, 2011
Total number of days extension Amendment No. 5	Zero (0)
<b>Revised Contract Completion Date</b>	<b>March 11, 2011</b>

Agreement for Amendment 5 to contract with Melchiori Construction Company, Inc.  
Project #8666

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

**COUNTY**

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

Chair, Board of Supervisors

**ATTEST:**

CHANDRA L. WALLAR  
CLERK OF THE BOARD

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

**CONTRACTOR**

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

**APPROVED AS TO FORM:**

DENNIS A. MARSHALL,  
COUNTY COUNSEL

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

**APPROVED AS TO ACCOUNTING FORM:**

ROBERT W. GEIS, CPA  
AUDITOR-CONTROLLER

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

**APPROVED AS TO FORM:**

RAY AROMATORIO, ARM, AIC  
RISK MANAGER

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

Dept 063

Line Item 8200

Fund 0030

Program 1930

Project 8666

EMERGENCY OPERATIONS CENTER  
 PROJECT NO. 8666  
 AMENDMENT NO. 5

EXHIBIT A

**Change Orders Previously Awarded by Director**

change order	1	Complete the following work items: PCO#1 – Manufacture and install a 8’x8’ Project Sign, \$1,958.00. PCO #2 – Delete rebar within the masonry cells of the CMU veneer, in accordance with the response to RFI #9 and PCO #2, \$(1,660.00). PCO #3 – Change the masonry block to the requested color per the response to RFI #8 and Bulletin #1, and in accordance with PCO #3, \$4,321.00. PCO #4 – Replace the current IT Vault with a larger one, sized 3x5x3, \$2,242.00. PCO #7 – Increase fly ash to 40% in all concrete mixtures, \$0.00. PCO #9 – Change shower size to a smaller, ADA compliant size, \$ (947.00).	\$	5,914.00
change order	2	NOT USED	\$	0.00
change order	3	site condition issues including soils work during grading and time extension accordingly	\$	55,995.00
change order	4	additional IT pullboxes, additional comm conduit,	\$	6,481.00
change order	5	credit for deleted restroom accessories, additional microwave tower conduits, additional electrical conduits	\$	5,620.00
change order	6	fiber optics pullboxes, SCE pullboxes	\$	5,300.00
change order	7	unforeseen soils work, credit for locker changes	\$	2,416.00
change order	8	verizon pullboxes and grounding	\$	4,509.00
change order	9	excavation of unforeseen rock, bollard galvanizing, gas point of connection extension, relocation of storm drain to avoid oak trees	\$	8,643.00
change order	10	sleeves to allow incident management room connectivity to add alt area, roof stanchion modifications for future dishes	\$	1,422.00
change order	11	roof curb for smoke filtration unit, metal lath @ masonry wall,	\$	6,912.00
change order	12	Increase wages under Davis Bacon requirements required due to the financing of the EOC, fuel oil piping upgrades for the emergency generator, increased framing sizes as directed by the structural engineer, unforeseen swale replacement, unforeseen drain inlet structure, curb for air filtration unit, additional ceiling framing as directed by the architect.	\$	44,880.00

EMERGENCY OPERATIONS CENTER

Project No. 8666

Amendment No. 5

change order	13	Added card reader hardware and infrastructure for additional interior doors	\$	5,483.00
change order	14	Additional studs/clips for 19' high framing at exterior of incident management room as directed by the structural engineer	\$	7,356.00
change order	15	Signage modifications, broadcast box for media interface, kitchen hood modification, additional outlets for audiovisual needs, additional backing for future video monitors.	\$	1,833.00
change order	16	Duct detector sequencing, relocation of exterior light fixture in conflict with microwave tower, unforeseen re-siting of the emergency generator due to increased size requiring additional bollards and sitework.	\$	16,055.00
change order	17	Restroom tile upgrade for ease of maintenance	\$	2,601.00
change order	18	Remove a eucalyptus tree not included on the landscape plan, modify hardware at interior doors to create a secure environment, modify restroom fixtures due to ceiling conflict, install masonry on exterior west end of wall at full height to match east wall	\$	8,938.00
change order	19	Install recessed combined outlets for wall monitors as recommended by the A/V consultants	\$	5,307.00
<b>TOTAL CHANGE ORDERS EXECUTED BY AUTHORITY DELEGATED TO DIRECTOR OF GENERAL SERVICES:</b>				<b>\$195,665.00</b>