

# **ATTACHMENT 1**

## **Amendment No. 1**

### **Agreement for Services Earth Systems Pacific, Inc.**

Construction Testing and Special  
Inspection Services

Santa Barbara County

Northern Branch Jail Project



County of Santa Barbara  
**GENERAL SERVICES  
DEPARTMENT**  
Capital Projects Group

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**AMENDMENT NO. 1 TO  
AGREEMENT FOR SERVICES OF  
INDEPENDENT CONTRACTOR**

BETWEEN

**THE COUNTY OF SANTA BARBARA**

AND

**EARTH SYSTEMS PACIFIC**

FOR

**CONSTRUCTION TESTING AND SPECIAL INSPECTION SERVICES  
SANTA BARBARA COUNTY NORTHERN BRANCH JAIL PROJECT  
No. 8600**

October 17, 2017

**AMENDMENT No. 1 to the AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR  
for  
CONSTRUCTION TESTING AND SPECIAL INSPECTION**

**SANTA BARBARA COUNTY NORTHERN BRANCH JAIL PROJECT 8600**

This is the First Amendment to the Agreement between THE COUNTY OF SANTA BARBARA (hereinafter "County") and EARTH SYSTEMS PACIFIC (hereinafter "Contractor").

WHEREAS, on June 21, 2016, the parties hereto entered into an Agreement for Services of Independent Contractor BC16216 (hereinafter "Agreement") in connection with the Northern Branch Jail Project ("Project"); and

WHEREAS, the parties hereto desire to amend the Agreement ("First Amendment"), in accordance with the provisions of the Agreement, to add additional services and compensation for said services.

**NOW, THEREFORE, Owner and Contractor agree as follows:**

1. This First Amendment increases the maximum compensation limit of \$517,944.90 by \$308,000 for a Maximum Compensation Limit (MCL) of \$825,944.90. Accordingly, Exhibit B- Payment Schedule, paragraph A is hereby amended to read "... not to exceed of \$825,944.90 (which includes a base bid of \$750,859.00 and a 10% contingency of \$75,085.90. ..."
2. Exhibit B-1 of the Agreement is replaced with the attached Revised Exhibit B-1, which is incorporated herein by reference, and specifies the MCL that the County will pay to the Contractor inclusive of all authorized Services and authorized Reimbursable expenses.
3. Exhibit C- Schedule of Work is hereby amended to reflect the following construction milestone table for project completion. Dates are estimates based on the current information available to the County, and are subject to change.

<u>Key Event</u>	<u>Completion Date</u>
Substantial Completion	February 2019
Final Completion	April 2019
Occupancy	June 2019

ESTIMATED CONSTRUCTION TIME: 32 mo. / 942 calendar days

4. Except as otherwise amended by this First Amendment, all of the terms and conditions of the Agreement shall remain in full force and effect.
5. The signatories to this First Amendment have the authority to bind the parties. This First 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.

Amendment 1 to the Agreement for Services of Independent Contractor **BC16216** between the **County of Santa Barbara** and **Earth Systems Pacific**.

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

**ATTEST:**

Mona Miyasato  
County Executive Officer  
Clerk of the Board

**COUNTY OF SANTA BARBARA:**

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

By: \_\_\_\_\_  
Chair, Board of Supervisors

Date: \_\_\_\_\_

**RECOMMENDED FOR APPROVAL:**

**GENERAL SERVICES**

By: *Jeanette D Pell*  
Department Head

**CONTRACTOR:**

**Earth Systems Pacific  
2049 Preisker Lane, Suite E  
Santa Maria, CA 93454**

By: *Doug Dunham*  
Authorized Representative

Name: Doug Dunham

Title: Executive Vice President

**APPROVED AS TO FORM:**

Michael C. Ghizzoni  
County Counsel

By: *Michael C Ghizzoni*  
Deputy County Counsel

**APPROVED AS TO ACCOUNTING FORM:**

Theodore A. Fallati, CPA  
Auditor-Controller

By: *Theodore A Fallati*  
Deputy

**APPROVED AS TO FORM:**

Risk Management

By: *[Signature]*  
Risk Management

Dept 980

Fund 0032

Program 1002

Account 7510

Project 8600

**REVISED EXHIBIT B-1**

County of Santa Barbara- Northern Branch Jail Project  
RATE SHEET

BC16216  
Revised Exhibit B-1  
Page 1 of 4

**CONSTRUCTION TESTING AND INSPECTION SERVICES**

<b>SECTION 1 - TESTING SERVICES</b>		Cost Per Test (Bid as Unit Price)	x	Estimated No. Of Tests	=	Total
<b>SOILS</b>						
1	ASTM D4253 Maximum Index Density	\$ 450.00	x	0	=	\$ -
2	ASTM D-422 Particle size analysis	\$ 220.00	x	5	=	\$ 1,100.00
3	ASTM D-1557 Compaction characteristics of soil using modified effort	\$ 200.00	x	20	=	\$ 4,000.00
4	ASTM D-2216 Water content	\$ 30.00	x	0	=	\$ -
5	ASTM D-2974 Organic content	\$ 30.00	x	0	=	\$ -
6	UBC Standard 18-2 Expansion Index	\$ 170.00	x	5	=	\$ 850.00
7	ASTM D-4318 Atterberg Limits	\$ 185.00	x	0	=	\$ -
8	ASTM D-2487 Classification of Soils	\$ 295.00	x	0	=	\$ -
<b>CONCRETE</b>						
9	Concrete CBC 1905A Cylinder test	\$ 27.00	x	280	=	\$ 7,560.00
10	Concrete CMC 1905A Core test	\$ 50.00	x	12	=	\$ 600.00
11	ASTM C-143 Slump test	0	x	70	=	\$ -
12	ASTM C-173 Air entrainment	0	x	70	=	\$ -
13	Concrete - 1903A.1 & 1903A.3 Aggregates	\$ 110.00	x	0	=	\$ -
14	Concrete - 1903A.1 & 1903A.5 Admixtures	\$ 100.00	x	0	=	\$ -
15	Concrete - 1903A.1, 1903A.4 & 1916A.2 Reinforcements	\$ 90.00	x	25	=	\$ 2,250.00

<b>SECTION 1 - TESTING SERVICES (Continued from Page 2)</b>		Cost Per Test (Bid as Unit Price)	x	Estimated No. Of Tests	=	Total
<b>ASPHALT PAVEMENT</b>						
33	Asphalt pavement - maximum density of mix by Marshal Method - Set of 3 (without mixing)	\$ 210.00	x	4	=	\$ 840.00
34	ASTM D-2041-78 - maximum specific gravity of bituminous paving mixtures	\$ 120.00	x	4	=	\$ 480.00
<b>TOTAL OF SECTION 1 (Sum of Items 1 - 34)</b>						= \$ 58,084.00
<b>SECTION 2 - FIELD SERVICES</b>		Rate Per Hour	x	Estimated Hours	=	Total
1	Collect and prepare samples of soil, concrete, mortar, grout, etc., for laboratory tests	\$ 125.00	x	560	=	\$ 70,000.00
2	ASTM D-1558 - Density of soil in place by the sand cone method	\$ 125.00	x	0	=	\$ -
3	ASTM D-6938 - Density of soil in place by the nuclear method	\$ 125.00	x	1,120	=	\$ 140,000.00
4	Schmidt Hammer tests	\$ 25.00	x	0	=	\$ -
5	Visual welding inspection - onsite & vicinity	\$ 125.00	x	450	=	\$ 56,250.00
6	Shop fabrication, welding & coating inspection	\$ 125.00	x	720	=	\$ 90,000.00
7	Anchor bolt tests (pull out)	\$ 25.00	x	50	=	\$ 1,250.00
8	Concrete coring (bit charge to be paid per publicized and attached fee schedule)					
a	1 man crew	\$ 125.00	x	25	=	\$ 3,125.00
b	2 man crew	\$ 250.00	x	0	=	\$ -
9	Ultrasonic test - Level II Technician	\$ 150.00	x	80	=	\$ 12,000.00
10	X-Ray - 1000 grain, 4" x 7" - Level II Technician	\$ 250.00	x	0	=	\$ -
11	Mag. Particle (hourly) - Level II Technician	\$ 150.00	x	40	=	\$ 6,000.00
12	Soil pH and Resistivity per California Test Method 643	\$ 100.00	x	0	=	\$ -
13	Water Soluble Sulfate per California Test Method 417	\$ 100.00	x	0	=	\$ -
14	Water Soluble Chloride per California Test Method 422	\$ 100.00	x	0	=	\$ -
15	CA Test Method 301 test for resistance "R" value	\$ 275.00	x	6	=	\$ 1,650.00
<b>TOTAL OF SECTION 2 (Sum of Items 1 - 15)</b>						= \$ 380,275.00

<b>SECTION 3 - SPECIAL INSPECTIONS</b>		Rate Per Hour	x	Estimated Hours	=	Total
1	Structural Special Inspections	\$ 125.00	x	2,500	=	\$ 312,500.00
2	Mechanical Special Inspections	\$ 150.00	x	0	=	\$ -
3	Electrical Special Inspections	\$ 150.00	x	0	=	\$ -
4	Corrosion Protection Special Inspections	\$ 200.00	x	0	=	\$ -
<b>TOTAL OF SECTION 3 (Sum of Items 1 - 4)</b>						= \$ 312,500.00

Contract Summary Form: Contract Number : BC- -

Complete data below, print, obtain signature of authorized departmental representative, and submit this form (and attachments) to the Clerk of the Board (>\$25,000). If less than (<\$25,000) submit a Purchasing Requisition to the Purchasing Division of General Services. See "online purchasing manual" under General Services, Purchasing, Policies and Procedures. Form not applicable to revenue contracts.

D1. Fiscal Year : FY 17-18, 18-19  
D2. Budget Unit Number (plus -Ship/-Bill codes in paren's) :  
D3. Requisition Number :  
D4. Department Name : General Services  
D5. Contact Person : Celeste Manolas  
D6. Phone : 934-2622

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K1. Contract Type (check one): [ ] Personal Service [X] Capital Project/Construction  
K2. Brief Summary of Contract Description/Purpose: Provide CONSTRUCTION TESTING AND SPECIAL INSPECTION SERVICES/ PROFESSIONAL SERVICES  
K3. Original Contract Amount : \$517,944.90  
K4. Contract Begin Date : UPON STATE APPROVAL/ BOARD APPROVAL JUNE 21  
K5. Original Contract End Date: 790 calendar days  
K6. Amendment History (leave blank if no prior amendments):

<u>Seq#</u>	<u>EffectiveDate</u>	<u>ThisAmndtAmt</u>	<u>CumAmndtToDate</u>	<u>NewTotalAmt</u>	<u>NewEndDate</u>	<u>Purpose(2-4 words)</u>
		\$308,000		\$825,944.90		

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K7. Department Project Number : 8600

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B1. Is this a Board Contract? (Yes/No) : yes  
B2. Number of Workers Displaced (if any) : none  
B3. Number of Competitive Bids (if any) : N/A  
B4. Lowest Bid Amount (if bid) : \$  
B5. If Board waived bids, show Agenda Date :  
B6. .. and Agenda Item Number : #  
B7. Boilerplate Contract Text Unaffected? (Yes / or cite ¶¶) :

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F1. Encumbrance Transaction Code : 1701  
F2. Current Year Encumbrance Amount :  
F3. Fund Number : 0032  
F4. Department Number : 980  
F5. Division Number (if applicable) :  
F6. Account Number : 7460  
F7. Cost Center number (if applicable) :  
F8. Payment Terms : Net 30

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V1. Vendor Numbers (A=auditor; P=purchasing) :  
V2. Payee/Contractor Name : EARTH SYSTEMS PACIFIC  
V3. Mailing Address : 2049 PREISKER LANE, SUITE E  
V4. City State (two-letter) Zip (include +4 if known) : SANTA MARIA, CA 93454  
V5. Telephone Number : (805)928-2991  
V6. Contractor's Federal Tax ID Number (EIN or SSN) :  
V7. Contact Person : Doug Dunham  
V8. Workers Comp Insurance Expiration Date : April 1, 2018  
V9. Liability Insurance Expiration Date[s] (G=enl; P=rofl) : April 1, 2018  
V10. Professional License Number : #47238  
V11. Verified by (name of County staff) : John Green  
V12. Company Type (Check one): [ ] Individual [ ] Sole Proprietorship [ ] Partnership [X] Corporation

**I certify:** information complete and accurate; designated funds available; required concurrences evidenced on signature page.

Date : 10/31/17

Authorized Signature:

