

CHILDREN'S SERVICES BUILDING – SANTA BARBARA
AUTHORIZED CONTRACT AMENDMENT
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT)
MORRISSEY CONSTRUCTION COMPANY, INC.) AMENDMENT NO. 3
CHILDREN'S SERVICES BUILDING)
SANTA BARBARA, CA)

WHEREAS, the County of Santa Barbara (COUNTY) and Morrissey Construction, Inc. (CONTRACTOR), 4083 Oceanside Blvd., Suite G, Oceanside, California, 92056, entered into a contract dated March 15, 2005, for the amount of THREE MILLION EIGHT HUNDRED TEN THOUSAND SEVEN HUNDRED DOLLARS (\$3,810,700.00) for the project Children's Services Building – Santa Barbara, Project No. J02007/8612, County of Santa Barbara, California; and

WHEREAS, the General Conditions permit alterations in the cumulative amount not to exceed ten percent (10%) of the first two hundred and fifty thousand dollars (\$250,000) and 5% of the remaining balance (\$3,560,700.00) of the contract amount, provided they are specified in writing, and agreed upon by the CONTRACTOR and the Director of the General Services Department; and

WHEREAS, the General Conditions require alterations in excess of the cumulative amount described in the previous paragraph to be approved by majority vote of the County Board of Supervisors, and

WHEREAS, it has been deemed necessary by the Director of General Services Department and the Board of Supervisors to make the following alterations known as Change Order No. 3, for a total of ONE HUNDRED AND EIGHT THOUSAND SEVEN HUNDRED AND FIFTEY-THREE DOLLARS (\$108,753.00) and a NINE (9) calendar day time extensions in the Contract period; and

WHEREAS, CONTRACTOR will perform the alterations stated in "Exhibit C" and attached hereto, for a total of ONE HUNDRED AND EIGHT THOUSAND SEVEN HUNDRED AND FIFTEY-THREE DOLLARS (\$108,753.00) and a NINE (9) calendar day time extensions in the contract period.

NOW, THEREFORE, the Agreement is amended as follows:

Section 1:

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

5. PAYMENT

Subject to adjustments and liquidated damages, if any, as provided in the Contract documents, the full price to be paid to CONTRACTOR for satisfactory completion of all requirements of CONTRACTOR under the Agreement is the base amount of THREE MILLION EIGHT HUNDRED TEN THOUSAND SEVEN HUNDRED DOLLARS (\$3,810,700.00), plus Change Order No. 1 for SIXTY THOUSAND ONE HUNDRED AND NINETY-ONE DOLLARS (\$60,191.00), plus Change Order No. 2 for SIXTY FIVE THOUSAND EIGHT HUNDRED AND NINETY-ONE DOLLARS (\$65,891.00), plus Change Order No. 3 for ONE HUNDRED AND EIGHT THOUSAND SEVEN HUNDRED AND FIFTEY-THREE DOLLARS (\$108,753.00) for a total Contract amount of FOUR MILLION FORTY-FIVE THOUSAND FIVE HUNDRED AND THIRTY- FIVE DOLLARS (\$4,045,535.00) to be paid as provided for in the Contract Documents, i.e., on a monthly basis in an amount directly proportional to the percentage of completion of work. CONTRACTOR shall maintain and make available to COUNTY all books, papers, job descriptions,

records, detail costs, estimates, subcontracts, and financial records related to or which arise out of work or under the terms or conditions of the Contract. The form of record keeping shall be subject to approval by COUNTY. These books, papers, records, claims, and accounts shall be made available for examination during normal business hours by COUNTY or COUNTY's representative and shall be retained at CONTRACTOR's principal place of business in California for audit during normal business at such place for four (4) years after recording of Notice of Completion of Project. CONTRACTOR shall provide an office to enable COUNTY and COUNTY's representative to conduct such audit.

Section 2:

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

2. WORK

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

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 Morrissey Construction Co., Inc. All other sections of the Agreement between the parties shall remain in full force and effect.

Original Contract amount: Three Million Eight Hundred Ten

Thousand Seven Hundred Dollars

\$3,810,700.00

10% of first \$250,000 and 5% or remaining contract:

\$ 203,035.00

Amount of Amendment No. 1:

\$60,191.00

Children's Services Building – Santa Barbara
Contract No. BC-05-154, Project No. J02007 / 8612
Amendment No. 3

Amount of Amendment No. 2: \$65,891.00

Amount of Amendment No. 3: \$108,753.00

Total Amount of all Amendments: \$234,835.00

Total Contract amount after Amendment No. 3: \$4,045,535.00

Original Contract completion date: December 14, 2005

Total number of days extension Amendment No. 1: 4 days

Total number of days extension Amendment No. 2: 2 days

Total number of days extension Amendment No. 3: 9 days

Revised Contract completion date: December 29, 2005

We hereby consent to the above and agree to the alterations as set forth in said Amendment in the manner and for the amount as indicated.

Dated this _____ day of _____, 2006

“COUNTY”

ATTEST:
MICHAEL F. BROWN
CLERK OF THE BOARD

By: _____
Joni Gray
Chair, Board of Supervisors

By: _____
Deputy

Date: _____

APPROVED AS TO FORM:

Stephen Shane Stark
County Counsel

APPROVED:

Bob Nisbet, Director
General Services Department

By: : _____
Deputy

By: _____

APPROVED AS TO ACCOUNTING
FORM:
Robert W. Geis, CPA

"CONTRACTOR"
MORRISSEY CONSTRUCTION COMPANY, INC.
4083 Oceanside Blvd., Suite G
Oceanside, California 92056

By: _____
Auditor-Controller

By: _____
Thomas P. Morrissey
IRS No.
License No. 708936

Dept 063 Account 8700 Fund 0030 Program 1930 Project 8612

EXHIBIT “C”
(Page 1 of 1)

Item No. 1: Construction Change Authorization #9 Dated (3/23/06) \$108,753.00

- PCE#89 Modify front entrance \$46,953
- PCE#91 Modify temporary parking lot to add more parking area \$45,837
- PCE#94 Install additional set of handrails \$2,048.00
- PCE#96 Modify front entrance driveway to add 3' of additional AC paving \$6,846
- PCE#97 Install leader head downspout at front entry \$315
- PCE#98 Add site drainage at rear of building \$2,583
- PCE#98 Grade soil along east wing \$1,722
- PCE#99 Install receptacle for refrigerator \$198
- PCE#100 Change breakers for the HVAC system to match unit size \$697
- PCE#101 Install DG walkway for emergency exit path \$1,554
- Add nine days to contract for rain delays