

SANTA MARIA COURT COMPLEX HAZARD MITIGATION PROGRAM  
AUTHORIZED CONTRACT AMENDMENT  
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT )  
WITH DIANI BUILDING CORP. ) AMENDMENT NO. 2  
FOR THE SANTA MARIA COURT COMPLEX HAZARD )  
MITIGATION PROGRAM )  
SANTA MARIA, CA )

WHEREAS, the County of Santa Barbara (COUNTY) and DIANI BUILDING CORP. (CONTRACTOR), P.O. Box 5757 / 351 N. Blosser Rd., Santa Maria, CA, 93456, entered into a contract agreement dated April 12, 2011 (AGREEMENT), for the amount of FIVE HUNDRED FORTY-FOUR THOUSAND NINE HUNDRED NINETY-NINE DOLLARS AND ZERO CENTS (\$544,999.00) for the Santa Maria Court Complex Hazard Mitigation Program, Project Number 8518, Santa Maria 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 Designee, Manager of Capital Projects Division, to alter the cumulative amount through Change Orders un-ratified by the Board (Exhibit A) totaling FORTY-TWO THOUSAND NINE HUNDRED THIRTY DOLLARS (\$42,930.00) and a zero (0) calendar day time extension in the contract period which were specified in writing and previously agreed upon by the COUNTY and the CONTRACTOR.

NOW, THEREFORE, the Agreement is hereby amended 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 FIVE HUNDRED FORTY-FOUR THOUSAND NINE HUNDRED NINETY-NINE DOLLARS AND ZERO CENTS (\$544,999.00), plus Amendment No. 1 for THIRTY-FIVE THOUSAND SEVEN HUNDRED SEVEN DOLLARS AND TWENTY-FIVE CENTS (\$35,707.25), plus change orders 7, 9, and 11 through 16 for FORTY-TWO THOUSAND NINE HUNDRED THIRTY DOLLARS (\$42,930.00) for a total contract amount of SIX HUNDRED TWENTY-THREE THOUSAND SIX HUNDRED THIRTY-SIX DOLLARS AND TWENTY-FIVE CENTS (\$623,636.25), to be paid as provided in the Contract Documents dated April 12, 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:

2. **WORK**

Items of work to be performed by the CONTRACTOR shall include all items stated in "Exhibit A," 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 Diani Building Corp., 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	\$544,999.00
Amendment No.1	<u>\$35,707.25</u>
Change Orders 7, 9, 11-16 ( <b>previously executed; ratified herein</b> )	<u>\$42,930.00</u>
Total Revised Contract Amount	<b>\$623,636.25</b>
Original Contract Completion Date	February 17, 2012
Total number of days extension Amendment No. 1	Eight (8)
Total number of days extension Change Orders 7, 9, 11-16	Zero (0)
Revised Contract Completion Date	<b>February 25, 2012</b>

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

**COUNTY**

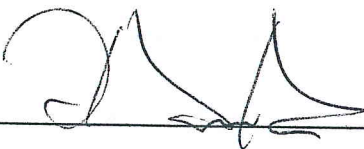
By: \_\_\_\_\_  
CHAIR,  
BOARD OF SUPERVISORS

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

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

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

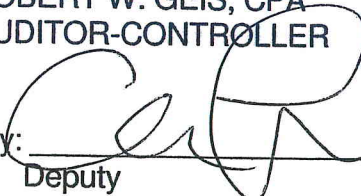
**CONTRACTOR**  
Diani Building Corp.

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

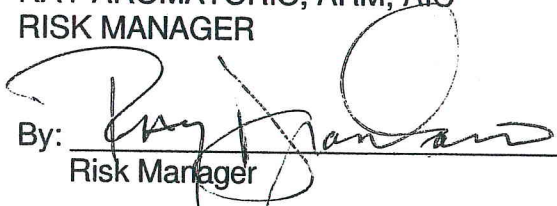
**APPROVED AS TO FORM:**  
DENNIS A. MARSHALL  
COUNTY COUNSEL

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

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

By:  \_\_\_\_\_  
Deputy  
Deputy Auditor-Controller  
Gregory Eric Levin  
Advanced and Specialty Accounting

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

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

Dept 063      Line Item 8200      Fund 0030      Program 1930      Project 8518

SANTA MARIA COURT COMPLEX HAZARD MITIGATION PROGRAM  
 Project No. 8518  
 Amendment No. 2

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EXHIBIT "A"

Change Orders Previously Awarded:

Change Order (Balance)	7	Perform separation at Parapet Walls at Building C. Amount included in Contract Amendment No. 1 as force account was \$2,900.00; final amount was \$7,539.00; balance is \$4,639.00.	\$4,639.00
Change Order (Balance)	9	Installation of wall sleeve & temporary ductwork and removal & reinstallation of existing ductwork. Amount included in Contract Amendment No. 1 as force account was \$5,100.00; final amount was \$5,200.00; balance is \$100.00.	\$100.00
Change order	11	Add blocking, bolting, and base plates due to discovered conditions at Building C Line C.	\$2,009.00
Change order	12	Extra work per Alternate Detail for Building C Line 7 fix.	\$14,222.00
Change order	13	Installation of post splices per RFI 45.	\$6,551.00
Change order	14	Modifications for drag strut installation at Building C Grid Line 9.5 per RFI 52.	\$3,644.00
Change order	15	Modifications for roof truss connection to framed wall at Building C, Grid Line 10 per RFI 53.	\$2,583.00
Change order	16	Relocate 24x18 Combustion Air Vent above Seismic Separation and Flashing per RFI 57.	\$9,182.00
		<b>TOTAL:</b>	<b>\$42,930.00</b>

