

SUPERIOR COURT REMODEL
AUTHORIZED CONTRACT AMENDMENT
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT)
WITH LACK CONSTRUCTION, INC.) AMENDMENT NO. 3
SUPERIOR COURT REMODEL)
SANTA BARBARA, CA)

WHEREAS, the County of Santa Barbara (COUNTY) and LACK CONSTRUCTION, INC. (CONTRACTOR), 420 E. Carrillo Street, Santa Barbara, CA 93101, entered into a contract dated October 10, 2006, for the amount of NINE HUNDRED EIGHTY-FIVE THOUSAND SIX HUNDRED FIVE DOLLARS (\$985,605) for the Superior Court Remodel, Project Number F01008/8560, Santa Barbara California; and

WHEREAS, it has been deemed necessary by the County to make the following alterations known as Amendment No. 3, for a total of ONE HUNDRED TWENTY-ONE THOUSAND ONE HUNDRED NINETY-TWO DOLLARS (\$121,192) and a one hundred seventy-one (171) calendar day time extension in the Contract period; and

WHEREAS, CONTRACTOR will perform the alterations stated in "Exhibit C" and attached hereto, for a total addition of ONE HUNDRED TWENTY-ONE THOUSAND ONE HUNDRED NINETY-TWO DOLLARS (\$121,192) and a one hundred seventy-one (171) calendar day time extension 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 NINE HUNDRED EIGHTY-FIVE THOUSAND SIX HUNDRED FIVE DOLLARS (\$985,605), plus Amendment No. 1 for EIGHTY THOUSAND FOUR HUNDRED EIGHT DOLLARS (\$80,408), plus Amendment No. 2 for ONE HUNDRED NINETY-FOUR THOUSAND ONE HUNDRED NINETY-NINE DOLLARS (\$194,199), plus Amendment No. 3 for ONE HUNDRED TWENTY-ONE THOUSAND ONE HUNDRED NINETY-TWO DOLLARS (\$121,192) for a total Contract amount of ONE MILLION THREE HUNDRED EIGHTY-ONE THOUSAND FOUR HUNDRED FOUR DOLLARS (\$1,381,404) 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 C," incorporated by this reference and attached hereto.

Section 3:

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

Original Contract amount	<u>\$ 985,605.00</u>
Amount of Amendment No. 1	<u>\$ 80,408.00</u>
Amount of Amendment No. 2	<u>\$ 194,199.00</u>
Amount of Amendment No. 3	<u>\$ 121,192.00</u>
Total Contract amount after Amendments No. 1 - 3	<u>\$1,381,404.00</u>
Original Contract completion date	September 12, 2007
Total number of days extension Amendment No. 1	Eighteen (18)
Total number of days extension Amendment No. 2	Sixty-seven (67)
Total number of days extension Amendment No. 3	One hundred seventy-one (171)
Total number of days extension after Amendments No. 1-3	Two hundred fifty-six (256)
Revised Contract completion date	May 26, 2008

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 _____, 2008

“CONTRACTOR”:

Lack Construction, Inc.

David Lack, President

Address: 420 E. Carrillo Street
City/State/Zip: Santa Barbara, CA 93101
License #: 609080
IRS#: 20-4953260

“COUNTY”

County of Santa Barbara

ATTEST:

MICHAEL F. BROWN
CLERK OF THE BOARD

By: _____
Deputy Clerk of the Board

By: _____
SALUD CARBAJAL, CHAIR
BOARD OF SUPERVISORS
County of Santa Barbara

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 Auditor-Controller

APPROVED AS TO FORM:

RAY AROMATORIO
RISK PROGRAM ADMINISTRATOR

By: _____

Dept 825 Fund 5901 Program 1928 Account 7322 Project FIG

**SUPERIOR COURT REMODEL
 PROJECT NO. F01008/8560
 AMENDMENT NO. 3**

EXHIBIT “C”

Per Construction Change Authorization #5 dated February 11, 2008:		
1.	Phase 2: Modifications to cash drawer layouts at transaction counters (CCD 42).	\$884.24
2.	Phase 2: Level floor in reception area for proper flooring installation (CCD 44).	\$1,700.34
3.	Phase 2: Additional painting in holding cell area and TAB files, and staining of existing wood surfaces (CCD 46).	\$2,575.26
4.	Phase 1: Bullnose corners at exterior transaction window and paint top of exterior wall. No exterior elevations shown on plans (CCD 47).	\$3,423.38
5.	Phase 2: Labor for mechanical work (CCD 48).	\$4,900.56
6.	Phase 2: Replace flush valves at all plumbing fixtures (CCD 49).	\$1,736.31
7.	Phase 2: Installation of dedicated circuit for vending machines in basement lobby (CCD 50).	\$810.14
8.	Phase 1: Install insulation in ceiling of human resource offices (post phase 1 construction completion) (CCD 51).	\$2,206.14
9.	Phase 2: Fur out wall in microfilm room to allow for data conduit and insulation (CCD 52).	\$1,624.28
10.	Phase 2: Credit for not utilizing bulletproof acrylic at transaction counter window per CCD 31.	(\$13,202.88)
11.	Phase 2: Refinish and install dutch door (CCD 57).	\$623.99
12.	Phase 3: Level floors in children’s waiting area and in restrooms for proper application of sheet vinyl (CCD 58).	\$1,636.08
13.	Phase 2: Replace toilet and urinal in men’s restroom (CCD 59).	\$1,551.57
14.	Phase 2: Temporary wood door for accounting office (CCD 60).	\$260.56
15.	Phase 2: Install enclosed fire extinguisher next to door 009.3 (CCD 61).	\$713.08
16.	Phase 3: Remove door 144.2 in-lieu-of reversing door swing (CCD 62).	\$1,226.04
17.	Phase 3: Install hot water to both restrooms (CCD 63).	\$2,427.50
18.	Phase 2: Install glass guard for alarm in viewing room (CCD 64).	\$773.93
19.	Phase 3: Install new doors at restrooms (CCD 65).	\$1,169.79
20.	Phase 3: Install HVAC registers in restrooms per code (CCD 67).	\$673.39
Per Construction Change Authorization #6 dated April 28, 2008:		
1.	Phase 2: Addition of 2 can lights at vestibule (CCD 53R).	\$1,868.95
2.	Phase 2: Low voltage wiring for door releases, keypads, and strobe/horn devices per Owner’s request (CCD 54R).	\$1,680.20
3.	Phase 2: Addition of aluminum framing and glass for Supervisor’s office (CCD 56R).	\$3,515.69
4.	Phase 3: Create storage room per Owner’s request (CCD 69R2).	\$1,979.54
5.	Phase 2: Clear coat staining of exterior doors (CCD 70R1).	\$2,117.47
6.	Phase 2: Disconnect power point in modular furniture due to Owner replacement, and addition of 4-plex receptacle at women’s RR (CCD 73).	\$808.87
7.	Phase 3: Electrical work not included in original scope (CCD 74).	\$656.23
8.	Phases 2 and 3: Acoustical ceiling modifications at Phase 2 due to adjusted ceiling depth, and ceiling repairs at Phase 3 (CCD 75).	\$1,925.48
9.	Phase 3: Painting of six bookshelves per Owner’s request (CCD 76).	\$1,449.17
10.	Phase 3: Install bookshelves & secure to wall per Owner’s request (CCD 77).	\$601.16
11.	Phase 2: Demo existing tile cove and install new flooring in men’s restroom per Owner’s request (CCD 78).	\$1,023.44

Superior Court Remodel
Project No. F01008 / 8560
Amendment No. 3

Per Construction Change Authorization #7 dated April 28, 2008:		
1.	Phase 4: Demolition for added Phase 4 per Owner's request (CCD 66).	\$8,627.37
2.	Phase 4: Installation of soffit and new flooring in janitor's closet (CCD 71).	\$1,607.90
3.	Phase 4: Construction of added Phase 4 per Owner's request; Rooms 132 & 146 (CCD 72R).	\$74,994.89
4.	Phase 4: Modify lighting layout in dumb waiter vestibule (CR1).	\$258.06
5.	Phase 4: Electrical work and bracing for installation of a wall mounted television (CR2).	\$363.63
	TOTAL:	\$121,191.75