

# Board Contract Summary

BC 17-187

For use with Expenditure Contracts submitted to the Board for approval. Complete information below, print, obtain signature of authorized departmental representative, and submit this form, along with attachments, to the appropriate departments for signature. See also: Auditor-Controller Intranet Policies->Contracts.

D1.	Fiscal Year .....	FY 2016-17
D2.	Department Name .....	PW Flood Control
D3.	Contact Person .....	Matt Griffin
D4.	Telephone .....	x8074

K1.	Contract Type (check one):	Personal Service	Capital
K2.	Brief Summary of Contract Description/Purpose .....	Mission Creek Debris Basin Storm Drain Project	
K3.	Department Project Number .....	SC8358	
K4.	Original Contract Amount .....	\$363,777 (supple work/contingency total NTE: \$421,465.85)	
K5.	Contract Begin Date .....	10/4/16	
K6.	Original Contract End Date .....	Upon completion of project	
K7.	Amendment? (Yes or No) .....	Yes	
K8.	- New Contract End Date .....	N/A	
K9.	- Total Number of Amendments .....	N/A	
K10.	- This Amendment Amount .....	\$150,000	
K11.	- Total Previous Amendment Amounts .....	\$	
K12.	- Revised Total Contract Amount .....	\$571,465.85 (revised NTE amount)	

B1.	Intended Board Agenda Date .....	2/14/17
B2.	Number of Workers Displaced (if any) .....	N/A
B3.	Number of Competitive Bids (if any) .....	N/A
B4.	Lowest Bid Amount (if bid) .....	N/A
B5.	If Board waived bids, show Agenda Date .....	
	and Agenda Item Number .....	
B6.	Boilerplate Contract Text Changed? (If Yes, cite Paragraph) .....	

F1.	Fund Number .....	2610
F2.	Department Number .....	054
F3.	Line Item Account Number .....	8400
F4.	Project Number (if applicable) .....	SC8358
F5.	Program Number (if applicable) .....	3005
F6.	Org Unit Number (if applicable) .....	
F7.	Payment Terms .....	Net 30

V1.	Auditor-Controller Vendor Number .....	040078
V2.	Payee/Contractor Name .....	Toro Enterprises Inc.
V3.	Mailing Address .....	P.O. Box 6285
V4.	City State (two-letter) Zip (include +4 if known) .....	Oxnard, CA 93031
V5.	Telephone Number .....	483-4515
V6.	Vendor Contact Person .....	Sean Castillo
V7.	Workers Comp Insurance Expiration Date .....	10/1/17
V8.	Liability Insurance Expiration Date .....	10/1/17
V9.	Professional License Number .....	710580
V10.	Verified by (print name of county staff) .....	Clopez

V11 Company Type (Check one):      Individual      Sole Proprietorship      Partnership      Corporation

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

Date: 1/26/2017      Authorized Signature: 

**AMENDMENT NO. 1  
TO  
CONTRACT FOR  
MISSION CREEK DEBRIS BASIN STORM DRAIN PROJECT  
IN THE FIRST SUPERVISORIAL DISTRICT  
DISTRICT PROJECT NO. SC8358  
Auditor – Controller Contract No. BC17-187**

**THIS AMENDMENT** (hereinafter Amendment) is made by and between the Santa Barbara County Flood Control and Water Conservation District, a political subdivision of the State of California (hereinafter DISTRICT) and Toro Enterprises, Inc., P.O. Box 6285, Oxnard, California 93081 (hereinafter referred to as CONTRACTOR) wherein DISTRICT and CONTRACTOR agree to amend their October 4, 2016 Agreement (hereinafter Agreement) as specified herein.

**WHEREAS**, the Parties entered into the Agreement on October 4, 2016, which included authorized Supplemental Work in the amount \$25,000 for Rock Excavation (extra work to excavate, drill through and otherwise work around existing rock larger than 3 feet in greatest dimension) where Supplemental Work is only paid for on an as needed, Time and Materials, basis;

**WHEREAS**, the CONTRACTOR has encountered a significant amount of large rock, exceeding what was estimated prior to the contract being executed, and DISTRICT requests CONTRACTOR to perform Rock Excavation necessary to complete the subject project as Supplemental Work;

**WHEREAS**, the CONTRACTOR and DISTRICT estimate that, in the worst case scenario, the cost of the Rock Excavation necessary to the project will not exceed \$175,000;

**WHEREAS**, the Parties do not otherwise wish to disturb the terms of the Agreement.

**NOW THEREFORE**, in consideration of the mutual covenants and conditions contained herein, the parties agree to amend the Agreement as follows:

1. The plans and specifications in the Agreement are modified in accordance with the recitals above, which are true and correct and incorporated herein.
2. Contractor agrees to provide all equipment, furnish the materials, except as may otherwise be noted above, and perform all services necessary for the work described in this Amendment in strict accordance with the Agreement, and will accept as full payment therefor the price in Section 3 of this Amendment below.
3. Section 6. PAYMENT, paragraph 2 is amended to read:



The Engineer is authorized to order, as change order work, the performance of supplemental work itemized in the attached Detailed Estimate of Job Cost, totaling \$177,000, to be paid as provided in the Contract Documents. In no event shall the District be liable for the cost of any supplemental work unless approved in advance and in writing by the Engineer.

4. The attached Exhibit A, Detailed Estimate of Job Cost, replaces the original Detailed Estimate of Job Cost.
5. In all other respects, the Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to be effective on the date when fully executed by both parties.

**PASSED, APPROVED, AND ADOPTED** by the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District, State of California, on this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by the following vote:

**AYES:**

**NAYS:**

**ABSENT:**

**ABSTAIN:**

**ATTEST:**

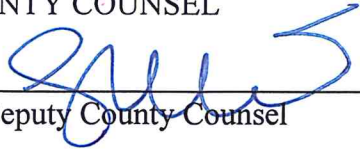
MONA MIYASATO  
EX OFFICIO CLERK OF THE BOARD  
OF DIRECTORS OF THE SANTA  
BARBARA COUNTY FLOOD CONTROL  
AND WATER CONSERVATION  
DISTRICT

SANTA BARBARA COUNTY FLOOD  
CONTROL AND WATER  
CONSERVATION DISTRICT

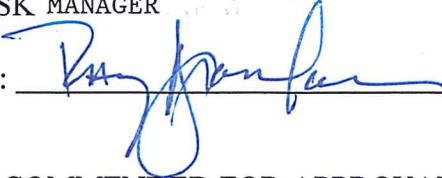
By: \_\_\_\_\_  
Deputy Clerk

By: \_\_\_\_\_  
Joan Hartmann, Chair,  
Board of Directors

APPROVED AS TO FORM:  
MICHAEL C. GHIZZONI  
COUNTY COUNSEL

By:   
Deputy County Counsel

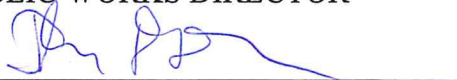
APPROVED AS TO FORM:  
RAY AROMATORIO  
RISK MANAGER

By: 

APPROVED AS TO ACCOUNTING:  
THEODORE A. FALLATI, CPA  
AUDITOR CONTROLLER

By:   
Deputy

RECOMMENDED FOR APPROVAL:  
SCOTT D. MCGOLPIN, PE  
PUBLIC WORKS DIRECTOR

By: 

CONTRACTOR:  
TORO ENTERPRISES, INC.  
SEAN CASTILLO  
PRESIDENT

By: 