

MONTECITO CREEK FISH PASSAGE PROJECT
 AUTHORIZED CONTRACT AMENDMENT
 SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION
 DISTRICT, STATE OF CALIFORNIA

IN THE MATTER OF AMENDMENT OF CONTRACT)
 WITH WHITAKER CONSTRUCTION GROUP INC.) AMENDMENT NO. 1
 MONTECITO CREEK FISH PASSAGE PROJECT)
 SANTA BARBARA, CA)

WHEREAS, the Santa Barbara County Flood Control and Water Conservation District (COUNTY) and WHITAKER CONSTRUCTION GROUP, INC. (CONTRACTOR), 2752 Concrete Court, Paso Robles, CA, 93446, entered into a contract agreement dated June 12, 2011 (AGREEMENT), for the amount of TWO HUNDRED FORTY NINE THOUSAND ONE HUNDRED FORTY EIGHT DOLLARS AND ZERO CENTS (\$249,148.00) for the Montecito Creek Fish Passage Project, C.M.I.S. Project Number SC8334, Santa Barbara 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 \$24,814.80 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 Deputy Director of Public Works, Thomas D. Fayram, PE, CFM, Director of the Water Resources Division to alter the cumulative amount through Change Order No. 1 (Exhibit A) totaling SIXTY FIVE THOUSAND EIGHT HUNDRED NINETY SEVEN DOLLARS AND ZERO CENTS (\$65,897.00) and a fifteen (15) working day time extension in the contract period.

WHEREAS, CONTRACTOR will perform the work stated in "Exhibit A" and attached hereto, for a total addition of SIXTY FIVE THOUSAND EIGHT HUNDRED NINETY SEVEN DOLLARS AND ZERO CENTS (\$65,897.00) and a fifteen (15) working day time extension in the Contract period,

NOW THEREFORE, the agreement is amended to increase the contract amount by of SIXTY FIVE THOUSAND EIGHT HUNDRED NINETY SEVEN DOLLARS AND ZERO CENTS (\$65,897.00) for a new contract amount 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 \$249,148.00, plus Amendment No. 1 for SIXTY FIVE THOUSAND EIGHT HUNDRED NINETY SEVEN DOLLARS AND ZERO CENTS (\$65,897.00) for a total of THREE HUNDRED FIFTEEN THOUSAND FORTY FIVE DOLLARS AND ZERO CENTS (\$315,045.00) to be paid as provided in the Contract Documents. 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 DISTRICT, 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 Engineer, hereunder. The DISTRICT will have the right to audit of Contractor's project records. Records must be made available in a form satisfactory to the Santa Barbara County Auditor-controller. All invoices submitted for payment shall include Contract Number BC 12-059.

Section 2:

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

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 Whitaker

Montecito Creek Fish Passage Project No. SC8334
Amendment No. 1

Construction Group, 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	\$249,148.00
Amendment No. 1 (Change Order No. 1, Exhibit A)	<u>\$65,897.00</u>
Total Revised Contract Amount	\$ 315,045.00
Original Contract Completion Date	November 18, 2011
Total number of working days added in Amendment No. 1	Fifteen (15)
Revised Contract Completion Date	December 13, 2011

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

SANTA BARBARA COUNTY FLOOD CONTROL
& WATER CONSERVATION DISTRICT

CONTRACTOR

By: _____
Chair, Board of Directors

Whitaker Construction Group, Inc.
2752 Concrete Court
Paso Robles, CA 93446

Date: _____

By: _____

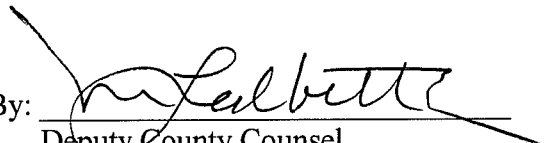
License No. 902179

ATTEST:
CHANDRA L. WALLAR
CLERK OF THE BOARD

By: _____
Deputy

APPROVED AS TO FORM:
DENNIS A. MARSHALL
COUNTY COUNSEL

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

By: 
Deputy County Counsel

By: _____
Deputy

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

APPROVED AS TO FORM:
SCOTT D. MCGOLPIN
PUBLIC WORKS DIRECTOR

By: _____
Risk Manager

By: _____
Public Works Director

Montecito Creek Fish Passage Project
C.M.I.S. PROJECT NO. SC8334
AMENDMENT NO. 1

Change Order Awarded per this Amendment No. 1

Change Order 1	Removal of approximately 45 CY of concrete encountered below originally anticipated contract concrete removal depths, including labor, materials, equipment, and all incidentals necessary to complete this work.	\$65,897.00
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