

ADAMS COUNTY, COLORADO
AMENDMENT #1 2018.434 FOR THE BRIDGE SCOUR REMEDIATION PROGRAM,
WASHINGTON STREET OVER CLEAR CREEK

THIS AMENDMENT #1 TO CONSTRUCTION CONTRACT 2017.457 is entered into this 7 day of August, 2018, by and between the Board of County Commissioners of Adams County, Colorado, located at 4430 South Adams County Parkway, Brighton, Colorado 80601, hereinafter referred to as the "County," and American West Construction, LLC, located at 275 E. 64th Avenue, Denver, CO 80221, hereinafter referred to as the "Contractor." The County and the Contractor may be collectively referred to herein as the "Parties".

RECITALS

WHEREAS, on February 2, 2018 the County entered into a Construction Contract 2017.457 with Contractor; and,

WHEREAS, the County and the Contractor mutually desire to amend the Construction Contract to add and deduct items as described in Exhibit A.

NOW, THEREFORE, for the consideration set forth herein, the sufficiency of which is mutually acknowledged by the parties, the County and the Contractor agree as follows:

1. The Construction Contract is hereby amended to add and deduct items described in Exhibit A.
2. The Contractor agrees to perform the additional work in Exhibit A in the amount of \$34,401.00.
3. The Construction Contract and this Amendment #1 contain the entire understanding of the parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by both parties. Except as amended by this Amendment, and any prior amendment(s), the terms and conditions of the Agreement remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Construction Contract and this Amendment #, the terms, conditions, and provisions of this Amendment # shall control.
4. The Recitals contained in this Amendment #1 are incorporated into the body hereof and accurately reflect the intent and agreement of the parties.
5. This Amendment # 1 may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.
6. Nothing expressed or implied in this Amendment #1 is intended or shall be construed to confer upon or to give to, any person other than the parties, any right, remedy, or claim

under or by reason of this Amendment #1 or any terms, conditions, or provisions hereof. All terms, conditions, and provisions in this Amendment #1 by and on behalf of the County and the Contractor shall be for the sole and exclusive benefit of the County and the Contractor.

7. If any provision of this Amendment #1 is determined to be unenforceable or invalid for any reason, the remainder of the Amendment #1 shall remain in effect, unless otherwise terminated in accordance with the terms contained in the Service Agreement.
8. Each party represents and warrants that it has the power and ability to enter into this Amendment #1, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the County and the Contractor have caused their names to be affixed.

ADAMS COUNTY, COLORADO
COUNTY MANAGER



Raymond H. Gonzales

7 Aug 2018
Date

AMERICAN WEST CONSTRUCTION LLC

JON MIKLYZ
Print Name

PROJECT MANAGER
Print Title


Signature

7/30/18
Date

ATTEST: STAN MARTIN
CLERK AND RECORDER

Channa
Deputy Clerk

APPROVED AS TO FORM:

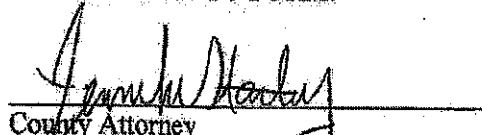


County Attorney

Exhibit A

 ADAMS COUNTY PUBLIC WORKS DEPARTMENT CHANGE ORDER	Access No: IMP2015-09007	Project Code (SL#): 2017457
	Location: Washington Street Bridge Over Clear Creek	
	Date: 4/13/18	Project Change Order No.:
	Contractor: American West Complete Address: 275 E. 64th Ave Denver, CO 80221	
Estimated cost to project: Increase: Decrease: \$ 34,401.00		Total additional days allowed to complete work: 0
Modification Title: Removal of Structures and Obstructions		Federal Oversight? Yes No

Your contract is hereby modified to add additional Removal of Structures and Obstructions (LS). The following item shall be added to your contract at the areas designated in the plans on Washington Street bridge over Clear Creek. The aforementioned addition shall comply with all submittals pertaining to the plans and specifications. All work shall be performed per the Project Special Provisions, Standard Special Provisions, Standard Specifications, M&S Standards, Contract, and as directed by the Project Engineer. No additional time will be added.

The following bid item is added at the unit price as follows:

Item	Description	Unit	Quantity	Unit Price	Extended Price
202-00000	Rem. of Structures and Obstructions	LS	1	\$55,961.00	\$55,961.00
Total of Modified Item					\$55,961.00

The following existing bid items are modified as follows:

Item	Item Description	Unit	Quantity	Unit Price	Extended Price
202-00003	Tree Trimming	LS	-1	\$890.00	(\$890.00)
625-00001	Construction Surveying (Hourly)	HR	-16	\$220.00	(\$3,520.00)
70070010	F/A Minor Contract Revisions	FA	-1	\$11,000.00	(\$11,000.00)
700-70011	F/A Partnering	FA	-1	\$300.00	(\$300.00)
700-70016	F/A Fuel Cost Adjustment	FA	-1	\$150.00	(\$150.00)
700-70021	F/A On-The-Job Training	FA	-1	\$500.00	(\$500.00)
700-70380	F/A Erosion Control	FA	-1	\$5,000.00	(\$5,000.00)
Total Removed Items:					(\$21,560.00)

Total of Change Order:

\$34,401.00

I hereby accept this order, for work to be performed and prices on which payment is to be based.			
REQUIRED IN ACCORDANCE WITH INSTRUCTIONS IN THE CDOF CONSTRUCTION MANUAL		REQUIRED FOR ALL CHANGE ORDERS	
Approved by FHWA Operations Engineer:	Date:	Authorized by Project Engineer:	Date:
		<i>[Signature]</i>	4/13/18
OPTIONAL for additional funding requests		Contractor Representative:	Date:
		<i>[Signature]</i> JMK LLC	4/13/18
Approved by Board of County Commissioners:	Date:	Approved by Infrastructure Manager:	Date:
		<i>[Signature]</i>	4-1-18
		Participating Non-participating Participation as noted	
		Approved Funding by Public Works Director:	Date:
		<i>[Signature]</i>	6-26-18

Change Order Form, ADCO Form 80