

ADAMS COUNTY, COLORADO
FIRST ADDENDUM TO
CONSTRUCTION AGREEMENT

THIS FIRST ADDENDUM TO CONSTRUCTION AGREEMENT ("First Addendum") is entered into this 27th day of October, 2015, by and between the Board of County Commissioners of Adams County, Colorado, located at 4430 South Adams County Parkway, Brighton, CO 80601, and H & A Concrete Sawing, Inc. located at 7368 E. 83rd Avenue, Commerce City, CO 80022, hereinafter referred to as the "Contractor."

RECITALS

WHEREAS, on June 4, 2015, the County entered into a Construction Agreement with H & A Concrete Sawing, Inc. to furnish all of the labor, machinery, equipment, materials, and supplies necessary to perform all of the work shown on the plans and described in the specifications, and in all other documents incorporated in the 2015.422 Miscellaneous Concrete Program Bid Documents; and,

WHEREAS, the term of the agreement expired on September 15, 2015; and,

WHEREAS, the County and the Contractor mutually desire to extend the Construction Agreement through November 1, 2015 to allow the Contractor time to complete the emergency repairs 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 County shall reimburse the Contractor for the work provided under this First Addendum in accordance with Section IV of the Construction Agreement. Adams County will pay the Contractor for additional emergency repairs in the amount of seventeen thousand one hundred sixty-eight dollars (\$17,168,000).
2. The term of the Construction Agreement is extended through November 1, 2015.
3. The Construction Agreement and this First Addendum 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. Any terms, conditions, or provisions of the Construction Agreement that are not amended or modified by this First Addendum shall remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Construction Agreement and this First Addendum, the terms, conditions, and provisions of this First Addendum shall control.
4. The Recitals contained in this First Addendum are incorporated into the body hereof and accurately reflect the intent and agreement of the parties.
5. This First Addendum 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 First Addendum 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 First Addendum or any terms, conditions, or provisions hereof. All terms, conditions, and provisions in this First Addendum 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 First Addendum is determined to be unenforceable or invalid for any reason, the remainder of the First Addendum shall remain in effect, unless otherwise terminated in accordance with the terms contained in the Construction Agreement.
8. Each party represents and warrants that it has the power and ability to enter into this First Addendum, to grant the rights granted herein, and to perform the duties and obligations herein described.

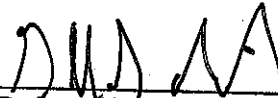
IN WITNESS WHEREOF, the County and the Contractor have caused their names to be affixed.

Board of County Commissioners'



Chairman

27 Oct 2015
Date

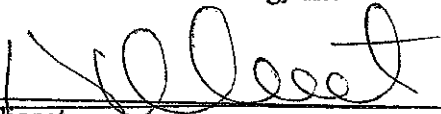
ATTEST:
STAN MARTIN
CLERK AND RECORDER


Deputy Clerk

Approved as to form:


Adams County Attorney's Office

H & A Concrete Sawing, Inc.


Signature

10/8/2015
Date

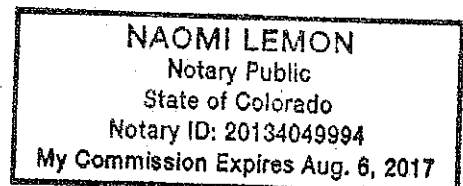
Signed and sworn to before me on this 09 day of October, 2015 by

Hugo Martinez



Notary Public

My commission expires on: Aug. 6, 2017



CONTRACTOR'S CERTIFICATION OF COMPLIANCE

Pursuant to Colorado Revised Statute, § 8-17.5-101, et. seq., as amended 5/13/08, as a prerequisite to entering into a contract for services with Adams County, Colorado, the undersigned Contractor hereby certifies that at the time of this certification, Contractor does not knowingly employ or contract with an illegal alien who will perform work under the attached contract for services and that the Contractor will participate in the E-Verify Program or Department program, as those terms are defined in C.R.S. § 8-17.5-101, et. seq. in order to confirm the employment eligibility of all employees who are newly hired for employment to perform work under the attached contract for services.

CONTRACTOR:

HSA Concrete Sealing Inc.
Company Name

1/8/2015
Date

Hugo Martinez
Name (Print or Type)

[Signature]
Signature

President
Title

Note: Registration for the E-Verify Program can be completed at: <https://www.vis-dhs.com/employerregistration>. It is recommended that employers review the sample "memorandum of understanding" available at the website prior to registering



**ADAMS COUNTY
TRANSPORTATION DEPARTMENT
CHANGE ORDER**

Project Id No.: 30557826		Project Code (SA#): IMP2015-00008	
Location: Various Locations in Adams County			
Date: 8/14/15		Project Order No.: 001	
Contractor: H & A Concrete Sawing, Inc.		Estimated cost to project: Increase x Decrease \$ 17,268.00	
Complete Address: 7368 E 83 rd Avenue, Commerce City, CO 80022		Total additional days allowed to complete work: 0	Federal Oversight? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Modification Title: Change Order #001-Emergency Repair			

Your contract is hereby modified to add multiple new pay items. The following items shall be added to your contract, Aggregate Base, Asphalt Patch, Hot Pour Crack Seal, Asphalt Special (Wide Cracks), Mobilization, and Traffic Control. 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.

The following new bid items are added at the unit price as follows:

This Change Order incorporates new added items and quantities of the following Unit Prices

ITEM NO.	PAY ITEM DESCRIPTION	EST. QTY.	UNIT	PRICE	AMOUNT BID
202-00019	Removal of Inlet	1	EA	\$ 1,400.00	\$ 1,400.00
202-00021	Removal of Manhole	1	EA	\$ 2,200.00	\$ 2,200.00
206-00065	Class 1 Structural Backfill (Flow Fill)	8	CY	\$ 110.00	\$ 880.00
603-01185	18" Reinforced Concrete Pipe (CIP)	20	LF	\$ 90.00	\$ 1,800.00
604-13005	Inlet Type 13, (5' Foot)	1	EA	\$ 2,800.00	\$ 2,800.00
604-30005	Man Hole Slab base 4' Diameter (5'foot)	1	EA	\$ 4,800.00	\$ 4,800.00
630-00000	Flagging	16	HR	\$ 28.00	\$ 448.00
630-80356	Arrow Board	1	EA	\$ 130.00	\$ 130.00
630-80380	Traffic Cones	40	EA	\$ 1.50	\$ 60.00
	Total Modified Items				\$ 12,718.00

This Change Order incorporates modified quantities of the following Unit Prices

ITEM NO.	PAY ITEM DESCRIPTION	EST. QTY.	UNIT	PRICE	AMOUNT BID
304-06000	Aggregate Base Course (Class 6)	20	TN	\$20.00	\$ 400.00
403-00720	Hot Mix Asphalt (Patching)	30	TN	\$135.00	\$ 4,050.00
	Total Modified Items				\$ 4,550.00

Total Items=	\$17,168.00
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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 CDOT CONSTRUCTION MANUAL		REQUIRED FOR ALL CHANGE ORDERS	
Approved by FHWA Operations Engineer:	Date:	Authorized by Project Engineer: <i>[Signature]</i>	Date: 8/25/15
OPTIONAL for additional funding requests		Contractor Representative: <i>[Signature]</i>	Date: 8/25/15
Approved by Board of County Commissioners:	Date:	Approved by Construction Manager: <i>[Signature]</i>	Date:
		Participating Non-participating Participation as noted	
		Approved Funding by Transportation Director: <i>[Signature]</i>	Date: 9-18-15