

AMENDMENT #1 TO AGREEMENT

PARTIES

This FIRST Amendment to Agreement ("Amendment") is entered into between Solano Community College District ("District") and **PB Electric, Inc.** ("Consultant"), collectively the "Parties").

RECITALS

WHEREAS, District and Consultant entered into a Consulting Services Agreement ("Agreement"), dated November 16, 2022, for Design-Build Construction Services for the Fairfield Campus Substation #3 & #4 Replacement Project ("Project"); and

WHEREAS, District and Consultant desire to amend the Agreement to increase the contract value to reflect the final Guaranteed Maximum Pricing (GMP) for the services.

NOW THEREFORE, in consideration of the mutual promises and covenants set forth above and contained herein, District and Consultant agree as follows:

AGREEMENT

1. Article 8.3 of the Agreement is amended to read in its entirety:

Compensation for Construction Services. Following District's issuance of the Notice to Proceed with Construction, District shall pay DBE up to the GMP less the Design Fee for all construction Phase Services contemplated under the Contract Documents, in accordance with the payment procedure set forth herein. District agrees to reimburse DBE in the total amount not to exceed **Eight Million, Seven Hundred Fifty-Five Thousand, Seven Hundred Sixty-Three Dollars (\$8,755,763)** ("GMP").

2. Except as set forth in this Amendment, all provisions of the Agreement and any previous extension(s) and/or amendment(s) thereto shall remain unchanged, in full force and effect, and are reaffirmed. This Amendment shall control over any inconsistencies between it and the Agreement and/or any previous extension(s) and/or amendment(s).
3. Consultant acknowledges and agrees that this Amendment shall not be binding on the Parties until and unless the Solano Community College District's Governing Board approves this Amendment.

IN WITNESS WHEREOF, the parties hereto have accepted and agreed to this Amendment on the dates indicated below.

Dated: _____, 2023

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**SOLANO COMMUNITY COLLEGE
DISTRICT**

PB Electric, Inc.

By: _____

By: _____

Print Name: Lucky Lofton
Print Title: V.P., Facilities and Executive
Bonds Manager

Print Name: _____
Print Title: _____