

**AMENDMENT NO. 1
TO CONTRACT MA-080-21010921
FOR
PORTLAND CEMENT CONCRETE MAINTENANCE AND REPAIR SERVICES**

This AMENDMENT is made and entered into as of the date fully executed by and between the County of Orange, a political subdivision of the State of California, and the Orange County Flood Control District, a body corporate and politic (“County”), and Hardy & Harper, Inc., with a place of business at 32 Rancho Circle, Lake Forest, CA 92630 (“Contractor”), with County and Contractor sometimes individually referred to as “Party” or collectively referred to as “Parties”.

RECITALS

WHEREAS, County and Contractor entered into Master Contract MA-080-21010921, effective March 2, 2021, through March 1, 2024, in the Total Contract Amount not-to-exceed \$6,000,000; and

WHEREAS, the Parties now desire to renew Contract for one (1) year effective March 2, 2024 through and including March 1, 2025 with a Total Contract Amount of \$2,000,000.00; and,

NOW THEREFORE, the Parties agree as follows:

AMENDMENT TO CONTRACT ARTICLES

1. Article 2 of the Contract shall be amended to including the following:

Contract shall be renewed for one (1) year from March 2, 2024 through and including March 1, 2025, unless otherwise terminated as provided herein.

2. Article 4 of the Contract shall be amended to include the following:

The first renewal term for the Aggregate Contract with Bitech Construction Company Inc., Hardy & Harper, Inc., and Gentry General Engineering, Inc. shall have a Total Aggregate Contract Amount not to exceed \$2,000,000.00.

3. Article 27 of the Contract shall be amended to read in its entirety as follows:

27. Notices: Any and all notices, requests demands and other communications contemplated, called for, permitted, or required to be given hereunder shall be in writing with a copy provided to the assigned DPA, except through the course of the parties’ project managers’ routine exchange of information and cooperation during the terms of the work and services. Any written communications shall be deemed to have been duly given upon actual in-person delivery, if delivery is by direct hand, or upon delivery on the actual day of receipt or no greater than four (4) calendar days after being mailed by US certified or registered mail, return receipt requested, postage prepaid, whichever occurs first. The date of mailing shall count as the first day. All communications shall be addressed to the appropriate party at the address stated herein or such other address as the parties hereto may designate by written notice from time to time in the manner aforesaid.

*County of Orange, OC Public Works
Hardy & Harper, Inc.*

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Contractor: Hardy & Harper, Inc
Attn: Victoria Correa
32 Rancho Circle
Lake Forest, CA 92630
Phone: (714) 444-1851
Email: vcorrea@hardyandharper.com

County's Project Manager: OC Public Works/Operations and Maintenance
Attn: Kris Ruiz
2231 N Glassell Street
Orange, CA 92865
Phone: (714) 955-0346
Email: kris.ruiz@ocpw.ocgov.com

cc: OC Public Works/Procurement Services
Attn: Ian Calhoun, County DPA
601 North Ross Street
Santa Ana, CA 92701
Phone: 714-667-8849
Email: Ian.Calhoun@ocpw.ocgov.com

5. Attachment B, Section 2, Item C: shall be amended to include the following:

First Renewal Term Total Aggregate Contract Amount Not to Exceed:..\$2,000,000.00

6. All other terms and conditions in this Contract shall remain unchanged and with full force and effect.

County of Orange, OC Public Works
Hardy & Harper, Inc.

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Signature Page

IN WITNESS WHEREOF, the Parties hereto have executed this Contract on the date following their respective signatures.

HARDY & HARPER, INC.*

<u>Mike Murray</u>	Mike Murray	VP/GM	11/27/2023
Signature	Name	Title	Date
<u>Mike Amundson</u>	Mike Amundson	Assistant Treasurer	11/27/2023
Signature	Name	Title	Date

COUNTY OF ORANGE, A political subdivision of the State of California

COUNTY AUTHORIZED SIGNATURE:

		Deputy Purchasing Agent	
Signature	Name	Title	Date

ORANGE COUNTY FLOOD CONTROL DISTRICT, A body corporate and politic

DISTRICT AUTHORIZED SIGNATURE:

		Deputy Purchasing Agent	
Signature	Name	Title	Date

APPROVED AS TO FORM:

County Counsel

By: William Ninh

Name: Deputy
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Date: 11/27/2023

* If the contracting party is a corporation, (2) two signatures are required: one (1) signature by the Chairman of the Board, the President or any Vice President; and one (1) signature by the Secretary, any Assistant Secretary, the Chief Financial Officer or any Assistant Treasurer. The signature of one person alone is sufficient to bind a corporation, as long as he or she holds corporate offices in each of the two categories described above. For County purposes, proof of such dual office holding will be satisfied by having the individual sign the instrument twice, each time indicating his or her office that qualifies under the above described provision. In the alternative, a single corporate signature is acceptable when accompanied by a corporate resolution demonstrating the legal authority of the signee to bind the corporation.