

AMENDMENT NUMBER ~~ONE~~ TWO
 TO
 CONTRACT MA-060-15010973
 BETWEEN THE
 COUNTY OF ORANGE
 AND
 ACTION CONTRACTORS INC.

This AMENDMENT NUMBER ~~ONE~~ TWO to Contract Number MA-060-15010973 (hereinafter “AMENDMENT NUMBER ~~ONE~~ TWO”) between the County of Orange, a political subdivision of the State of California (hereinafter “COUNTY”) and Action Contractors Inc. (hereinafter “CONTRACTOR”) with a place of business at 310 W. Gardena Blvd., CA 90248 is made and entered upon execution of all necessary signatures.

RECITALS:

WHEREAS, COUNTY and CONTRACTOR executed a Subordinate Contract for General Construction and Maintenance Services on January 13, 2015, Contract number MA-060-15010973; (hereinafter “ORIGINAL CONTRACT”) for a one (1) year term of January 13, 2015 through and including January 8, 2016, renewable for two (2) additional one-year terms; and

WHEREAS, Orange County Public Works has issued a Contract Number MA-017-13010880 for this type of service; and

WHEREAS, COUNTY and CONTRACTOR amended the ORIGINAL CONTRACT on December 15, 2015, Contract number MA-060-15010973 to increase the contract amount by \$50,000 for a new not to exceed amount of \$375,000; ~~and desires to amend the ORIGINAL CONTRACT, Contract number MA-060-15010973 to increase the contract amount by \$50,000 for a new not to exceed amount of \$375,000; and~~

WHEREAS, COUNTY and CONTRACTOR renewed the ORIGINAL CONTRACT on December 15, 2015 (hereinafter “AMENDMENT NUMBER ONE”) as Contract number MA-060-16010969 for a one year term of January 9, 2016 through and including January 8, 2017 at a not to exceed amount of \$430,000 and amended Paragraph 6, Prevailing Wage in its entirety; ~~desires to renew the ORIGINAL CONTRACT as Contract number MA-060-16010969 for a one year term of January 9, 2016 through and including January 8, 2017 at a not to exceed amount of \$430,000 and amend Paragraph 6, Prevailing Wage in its entirety and the CONTRACTOR has agreed to provide these goods/services at the rates set forth in the ORIGINAL CONTRACT;~~

WHEREAS, COUNTY desires to renew the ORIGINAL CONTRACT as Contract number MA-060-17010880 for a one year term of January 9, 2017 through and including January 8, 2018 at a not to exceed amount of \$500,000/year and the CONTRACTOR has agreed to provide these goods/services at the rates set forth in the ORIGINAL CONTRACT;

NOW THEREFORE, in consideration of the mutual obligations set forth herein, both COUNTY and CONTRACTOR agree as follows:

1. ARTICLES

- a. Original Contract, Section 2, Term of Subordinate Contract, is amended to read in its entirety as follows:

1. Term of Subordinate Contract:

This Contract shall commence upon execution of all necessary signatures, and continue in effect from 1/13/15 through and including 1/8/~~17~~ 18, unless otherwise terminated by COUNTY. The period of 1/13/15 through and including 1/8/16 shall be known as Contract number MA-060-15010973. The period of 1/9/16 through and including 1/8/17 shall be known as Contract number MA-060-16010969. The period of 1/9/17 through and including 1/8/18 shall be known as Contract number MA-060-17010880. ~~This contract is non-renewable.~~

- b. The “shall not exceed” amount in Section 3 is amended to read \$500,000 for the period of 1/9/17 through and including 1/8/18. ~~The “shall not exceed” amount in Section 3 of Contract number MA-060-15010973 is amended to read \$375,000 effective through January 8, 2016 and for Contract number MA-060-16010969 is amended to read \$430,000 for the period of 1/9/16 through and including 1/8/17.~~
- c. ~~Original Contract, Section 6, Prevailing Wage (Labor Code §1773), is amended to read in its entirety as follows:~~

~~Prevailing Wage (Labor Code):~~

~~Pursuant to the provisions of Section 1773 of the Labor Code of the State of California, the Contractor shall comply with the general prevailing rates of per diem wages and the general prevailing rates for holiday and overtime wages in this locality for each craft, classification, or type of worker needed to execute this Contract. The wages are available from the Director of the Department of Industrial Relations at the following website: <http://www.dir.ca.gov/dlsr/DPreWageDetermination.htm>. The Contractor shall post a copy of such wage rates at the job site and shall pay the adopted prevailing wage rates. The Contractor shall comply with the provisions of Sections 1775 and 1813 of the Labor Code.~~

~~Contractor and all Subcontractors must comply with the requirements of Labor Code Section 1771.1(a), pertaining to registration of contractors~~

~~pursuant to Section 1725.5. Registration and all related requirements of those sections must be maintained throughout the performance of the Contract. Contractor and any Subcontractor(s) shall comply with the requirements of Labor Code Section 1776. Such compliance includes the obligation to furnish the records specified in Section 1776 directly to the Labor Commissioner in an electronic format, or other format as specified by the Commissioner, in the manner provided by Labor Code Section 1771.4.~~

2. A true and correct copy of the ORIGINAL CONTRACT (Contract Number MA-060-15010973) is attached hereto as Exhibit A and incorporated by this reference.
3. A true and correct copy of AMENDMENT NUMBER ONE (Contract Number MA-060-16010969) is attached hereto as Exhibit B and incorporated by this reference.
4. All other provisions of the ORIGINAL CONTRACT and AMENDMENT NUMBER ONE except as amended herein remain in full force and effect.

IN WITNESS WHEREOF, the Parties have executed AMENDMENT NUMBER ~~ONE~~ TWO to ORIGINAL CONTRACT MA-060-15010973.

*Contractor: Action Contractors Inc.

By: _____ Title: _____

Print Name: _____ Date: _____

*Contractor: Action Contractors Inc.

By: _____ Title: _____

Print Name: _____ Date: _____

*If a corporation, the document must be signed by two corporate officers. The first signature must be either the Chairman of the Board, President, or any Vice President. The second signature must be the secretary, an assistant secretary, the Chief Financial Officer, or any assistant treasurers. **In the alternative, a single corporate signature is acceptable when accompanied by a corporate document demonstrating the legal authority of the signature to bind the company.**

County Of Orange

A political subdivision of the State of California



Sheriff-Coroner Department

By: _____ Title: _____

Date: _____ Print Name: _____

APPROVED AS TO FORM
COUNTY COUNSEL

Deputy

EXHIBIT A

ORIGINAL CONTRACT (Contract Number MA-060-15010973)

EXHIBIT B

AMENDMENT NUMBER ONE (Contract Number MA-060-16010969)