

ABATEMENT & DEMOLITION CONTRACT
AMENDMENT NO. 1

1. Identification of Contract to be Amended

Number:

Effective Date: August 20, 2014

Department: Public Works

Subject: I-80 San Pablo Dam Road Interchange Improvement Project

2. Parties The County of Contra Costa (Public Agency), for its Public Works Department, and the following named Contractor, mutually agree and promise as follows:

Contractor: Donald R. Lemings dba D.R. Lemings Construction Company

Capacity: Sole Proprietor

Address: P.O. Box 2173 Concord, CA 94521

3. Amendment Date The effective date of this Contract Amendment is December 31, 2014.

4. Amendment Specifications The Contract identified above is hereby amended as set forth in the "Amendment Specifications" attached hereto which are incorporated herein by reference.

5. Payment Limit. Public Agency's total payments to Contractor under this Contract shall not exceed \$166,270.00.

6. Signatures and Acknowledgment

Public Agency:

By _____
Director of Public Works, or designee

Approved: County Administrator

By _____
Designee

Form Approved: County Counsel

By Kathleen M. Andrews
Deputy

Contractor, hereby also certifying awareness of and compliance with Labor Code Sections 1861 and 3700 concerning Workers' Compensation Law, and other applicable laws and regulations including those specified in Sections 14 through 17 of this Contract:

By _____
(Signature of individual or officer)

(Designate official capacity in the business)

By _____
(Signature of individual or officer)

(Designate official capacity in the business)

Note to Contractor: For corporations, the contract must be signed by two officers. The first signature must be that of the chairman of the board, president or vice-president; the second signature must be that of the secretary, assistant secretary, chief financial officer or assistant treasurer. (Civ. Code, Sec. 1190 and Corps. Code, Sec. 313.) The acknowledgment below must be signed by a Notary Public.

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Signatures. The signatures set forth below attest the parties' agreement hereto:

CONSULTANT SIGNATURES

SIGNATURE A

Consultant's Name:

SIGNATURE B

Consultant's Name:

By _____
(Signature of individual or officer)

By _____
(Signature of individual or officer)

(Print name and title, if applicable)

(Print name and title, if applicable)

Note to Consultant: If Consultant is a corporation, two officers must sign the Agreement. The first signature (Signature A) must be that of the chairman of the board, president, or vice-president; the second signature (Signature B) must be that of the secretary, assistant secretary, chief financial officer, or assistant treasurer. (Civil Code Section 1190 and Corporation Code Section 313.) The acknowledgment below must be signed by a Notary Public.

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
)
COUNTY OF _____)

On _____ (Date),

before me, _____ (Name and Title of Officer),

personally appeared, _____,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL

Signature of Notary Public



Place Notary Seal Above

ACKNOWLEDGMENT (by Corporation, Partnership, or Individual)
(Civil Code §1189)

AMENDMENT SPECIFICATION
Donald R. Lemings dba D.R. Lemings Construction Company
Amendment No. 1

Due to unforeseen delays by Clean Harbor Landfill, the Contractor cannot remove and dispose of contaminated soil from the real properties located at 5303 Riverside Avenue and 1422 Humboldt Avenue in San Pablo, before the original termination date (December 31, 2014) of the Abatement and Demolition Contract associated with the I-80 San Pablo Dam Rd. Interchange Improvement Project.

In exchange for the mutual promises set forth in this Amendment, County and Contractor agree to amend the Contract referred herein as follows:

1. Section 2 (Term) of the Abatement and Demolition Contract is hereby amended to extend the termination date to February 28, 2015.