

## CHANGE ORDER No. 1

**Project:** 2017 Nacimiento Dam Spillway  
Emergency Repair Project  
**Date:** March 13, 2018  
**Project No.:** 005  
**Notice to Proceed:** December 8, 2017  
**Owner:** Monterey County  
Water Resources Agency  
1441 Schilling Place – North Building  
Salinas, CA 93901  
**Contractor:** Graniterock Company  
5225 Hellyer Avenue, Suite 220  
San Jose, CA 95138

The non-exclusive Agreement made and entered into by and between Monterey County Water Resources Agency (hereinafter "AGENCY") and Graniterock (hereinafter "CONTRACTOR") on December 7, 2017, (hereinafter "AGREEMENT") is changed pursuant to Article 4 as follows:

**Paragraph 2.2.2 – Substantial Completion Date**, shall read:

CONTRACTOR shall commence the work on the starting date established in the Notice to Proceed and shall achieve Substantial Completion within one hundred forty (140) calendar days after said starting date.

**ARTICLE 3: Contract Price - Paragraph 3.1** shall read:

CONTRACTOR shall be compensated for work completed under this AGREEMENT on a time and materials basis per completed item in accordance with terms of the AGREEMENT, up to a total amount not-to-exceed **\$289,000.**

**ARTICLE 3: Contract Price – Paragraph 3.3** shall read:

Retention of five percent (5%) of each approved progress payment subsequent to execution date of this Change Order will be withheld by the AGENCY. At Substantial Completion the AGENCY, at its option, may release any portion of the retained amount to the CONTRACTOR.

**EXHIBIT A, Item 6** shall read:

Pursuant to California Public Contract Code Section 22300, the CONTRACTOR may substitute securities for any monies withheld by the AGENCY to ensure performance under the contract.

The remainder of the AGREEMENT is in full force and effect.

**Purpose of the Changes:**

Additional time is needed to complete work described in EXHIBIT B because the original amount of time to reach Substantial Completion was under estimated by the AGENCY, rain delays have occurred, some material delivery times have been longer than anticipated, and video survey and spillway sub-drain location work is in addition to that anticipated in EXHIBIT B.

Additional payment is needed to complete work described in EXHIBIT B because the original amount of time to reach Substantial Completion was under estimated by the AGENCY, and video survey and spillway sub-drain location work is in addition to that anticipated in EXHIBIT B. Change of retention is to comply with California Public Contract Code Chapter 7, Section 7201(b)(1).

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Original value of AGREEMENT: .....	\$200,000.00
Value of increase by this Change Order: .....	\$ 89,000.00
New AGREEMENT value including this Change Order: .....	\$289,000.00

Time to Substantial Completion will increase to: ..... 140 calendar days from Notice to Proceed  
The new Substantial Completion Date is: ..... April 26, 2018

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Monterey County Water Resources Agency

David E. Chardavoyne  
David E. Chardavoyne, General Manager

Date: 28 March 2018

Graniterock Company  
Karl Philipovitch, Area Manager

Print Name

Signature

Title MAR 14 2018

Date: \_\_\_\_\_

Approved as to Form:

[Signature]  
Deputy County Counsel

Date: 3.23.18

[Signature]  
Auditor-Controller's Office

Date: 3.23.18

County Administrative Office

Date: \_\_\_\_\_

## CHANGE ORDER No. 2

**COPY**

**Project:** 2017 Nacimiento Dam Spillway  
Emergency Repair Project

**Date:** April 12, 2018

**Project No.:** 005

**Notice to** December 8, 2017

**Proceed:**

**Owner:** Monterey County  
Water Resources Agency  
1441 Schilling Place – North Building  
Salinas, CA 93901

**Contractor:** Graniterock Company  
5225 Hellyer Avenue, Suite 220  
San Jose, CA 95138

The non-exclusive Agreement made and entered into by and between Monterey County Water Resources Agency (hereinafter "AGENCY") and Graniterock (hereinafter "CONTRACTOR") on December 7, 2017, (hereinafter "AGREEMENT") is changed pursuant to Article 4 as follows:

**Paragraph 2.2.2 – Substantial Completion Date**, shall read:

CONTRACTOR shall commence the work on the starting date established in the Notice to Proceed and shall achieve Substantial Completion within three hundred eighty four (384) calendar days after said starting date.

The remainder of the AGREEMENT is in full force and effect.

**Purpose of the Changes:**

Time to Substantial Completion was extended to April 26, 2018 in Change Order No. 1 to complete work described in EXHIBIT B. Due to late March rains, the Nacimiento Reservoir elevation rose above the high level gates tunnel invert and MCWRA began utilizing the high level gates on the Nacimiento Spillway for reservoir releases. Out of safety and access concerns, the Agency will not allow the contractor to work in the spillway during releases; therefore, the time extension in this Change Order No. 2 will allow the work described in EXHIBIT B to continue once high level gate releases are completed.

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Original value of AGREEMENT:	\$200,000.00
Value of increase by Change Order No. 1:	\$ 89,000.00
Value of increase by this Change Order:	\$ None
New AGREEMENT value including this Change Order:	\$289,000.00

Time to Substantial Completion Change Order No.1: ..... 140 calendar days from Notice to Proceed  
(Substantial Completion Date Change Order No. 1 - April 26, 2018)

Time to Substantial Completion will increase to: ..... 384 calendar days from Notice to Proceed

The new Substantial Completion Date is: ..... December 31, 2018

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**Monterey County Water Resources Agency**

  
David E. Chardavoyne, General Manager

Date: 29 May 2018

**Graniterock Company**  
**Karl Philipovitch, Area Manager**

Print Name

Signature

Title

**APR 30 2018**

Date:

Approved as to Form:

  
\_\_\_\_\_  
Deputy County Counsel

Date: 5.15.18

  
\_\_\_\_\_  
Auditor-Controller's Office

Date: 5/22/18

  
\_\_\_\_\_  
County Administrative Office

Date: 5/24/18

## CHANGE ORDER No. 3

**Project:** 2017 Nacimiento Dam Spillway  
Emergency Repair Project  
**Project No.:** 005  
**Owner:** Monterey County  
Water Resources Agency  
1441 Schilling Place – North Building  
Salinas, CA 93901

**Date:** December 4, 2018  
**Notice to Proceed:** December 8, 2017  
**Contractor:** Graniterock Company  
5225 Hellyer Avenue, Suite 220  
San Jose, CA 95138

The Non-Exclusive Emergency Repairs Agreement made and entered into by and between Monterey County Water Resources Agency (hereinafter "AGENCY") and Graniterock (hereinafter "CONTRACTOR") on December 7, 2017, (hereinafter "AGREEMENT") is changed pursuant to Article 4 as follows:

**Paragraph 2.2.2 – Substantial Completion Date** shall read:

CONTRACTOR shall commence the work on the starting date established in the Notice to Proceed and shall achieve Substantial Completion within six hundred fifty three (653) calendar days after said starting date.

**Paragraph 3.1** shall read:

CONTRACTOR shall be compensated for work completed under this AGREEMENT on a time and materials basis per completed item in accordance with terms of the AGREEMENT, up to a total amount not-to-exceed **\$412,000**.

The remainder of the AGREEMENT is in full force and effect.

**Purpose of the Changes:**

Time to Substantial Completion was extended to April 26, 2018 in Change Order No. 1 to complete work described in EXHIBIT B. Time to Substantial Completion was extended to December 31, 2018 by Change Order No. 2 due to late March 2018 rains as the Reservoir elevation rose and the high level gates were used for spillway releases. Also, the Agency did not allow the contractor to work in the spillway during releases for safety and access reasons. Work remaining in EXHIBIT B and additional work in the spillway is needed pursuant recommendations in the 2018 Nacimiento Dam Spillway Condition Assessment Report. Federal Energy Regulatory Commission (FERC) approval of the additional work is needed before contractor may proceed. Additional time and funding is needed to complete this work.

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Original value of AGREEMENT:	\$200,000.00
Value of increase by Change Order No. 1:	\$ 89,000.00
Value of increase by Change Order No. 2:	\$ None
Value of increase by this Change Order:	\$ 123,000.00
New AGREEMENT value including this Change Order:	\$412,000.00

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Time to Substantial Completion Change Order No.1:	140 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 1 - April 26, 2018)	
Time to Substantial Completion Change Order No.2:	384 calendar days from Notice to Proceed
(Substantial Completion Date Change Order No. 2 - April 26, 2018 – December 31, 2018)	
Time to Substantial Completion will increase to:	653 calendar days from Notice to Proceed
The new Substantial Completion Date is:	September 30, 2019

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Monterey County Water Resources Agency

David E. Chardavoyne  
David E. Chardavoyne, General Manager

Date: 11 December 2018

Graniterock Company

K. PHILIPOVITCH

Print Name

[Signature]

Signature

AREA MANAGER

Title

Date: NOV 27 2018

Approved as to Form:

[Signature]  
Deputy County Counsel

Date: 12/7/18

[Signature]  
Auditor-Controller's Office

Date: 12/7/18

[Signature]  
County Administrative Office

Date: 12/7/18