

ATTACHMENT C
AGREEMENT 2006, AMENDMENT NO.1

Agreement # 2006

AMENDMENT TO AGREEMENT BETWEEN THE KINGS COUNTY AREA PUBLIC TRANSIT AGENCY AND CM CONSTRUCTION SERVICES, INC.

THIS AMENDMENT is made and entered into the 23rd day of August 2023 by and between the KINGS COUNTY AREA PUBLIC TRANSIT AGENCY, and entity established by a joint powers agreement entered into between the County of Kings and the Cities of Avenal, Hanford, and Lemoore (hereinafter referred to as "AGENCY" or "KCAPTA"), and CM Construction Services, Inc., (hereinafter referred to as the "FIRM", "CONTRACTOR", "BIDDER" OR "VENDOR"

WITNESSETH

WHEREAS, pursuant to that certain agreement entered into between AGENCY and CONTRACTOR and dated April 22, 2020, CONTRACTOR agreed to perform services related to the Construction of the KART Transit Center ("PROJECT") (said agreement is hereafter referred to as the "AGREEMENT") and is attached hereto and incorporated herein by this reference; and

WHEREAS, the PROJECT had to be rebid, thereby affecting the Pre-Construction Services and the Bidding Services, described more particularly in the "Amendment #1" submitted CONTRACTOR, attached hereto and incorporated herein by this reference; and

WHEREAS, in addition to the need to rebid, the Pre-Construction Services were affected by the 1- year coordinating Rule 20 with Southern California Edison.

NOW, THEREFORE, IT IS MUTUALLY AGREED that the AGREEMENT shall remain in full force and effect, except that Section III(B) in the AGREEMENT shall be restated as follows:

III. COMPENSATION

- B. AGENCY's maximum cumulative payment obligation under this Agreement shall not exceed One Million Twenty-Five Thousand Dollars (\$1,025,000.00), including all amounts payable to CONTRACTOR for all costs, including but not limited to direct labor, other direct costs, subcontracts, indirect costs including, but not limited to, leases, materials, taxes, insurance, and profit.

IN WITNESS WHEREOF, this Amendment is executed on the day and year first above written.

KINGS COUNTY AREA PUBLIC TRANSIT AGENCY

CM CONSTRUCTION SERVICES, INC.

Joe Neves
Chairman

Monique Miron
President

Approved as to Form

General Counsel



P.O.Box 6237 | Visalia, CA 93290-6237
T 559-735-9556 | F 559-735-9529

AMMENDMENT #1

Per Article XIII MISCELLANEOUS PROVISIONS of the Construction Management Agreement 1920-02 this Amendment #1 makes changes to Paragraph F Integration/Modification changes. The project will extend the bidding process by 4 months due to rebidding the project. This rebid affects the Pre-Construction Services and the Bidding Services. In addition, the Pre-Construction Services were affected by 1 year for coordinating Rule 20 with SCE, which has not been issued. The changes are itemized on the Attached Exhibit B – Price Proposal.

CONSTRUCTION MANAGEMENT AGREEMENT

Article III Compensation

III. COMPENSATION

- A. In accordance with the terms and condition of this Contract, KCAPTA shall pay CONTRACTOR on a FIXED PRICE bases at the fully burdened fixed rates stated herein in accordance with the provisions, of this Section and subject to the maximum, cumulative payment.
- B. KCAPTA's maximum cumulative payment obligation under this Agreement shall not exceed One Million Dollars (1,000,000.00), including all amounts payable to CONTRACTOR for all costs, including but not limited to direct labor, other direct costs, subcontracts, indirect costs including, but not limited to, leases, materials, taxes, insurance, and profit.

Pre-Construction Services: Line item #3 increase \$4,000 for additional Utility Coordination with SCE Rule 20.

Pre-Construction Services: Line item #7 increase \$\$5,000 to rewrite Specs/Front ends due to rebid.

Bidding Services: Increase Bidding Services \$16,000 due to rebid.

The parties have executed this Amendment in Kings County, California.

Kings Area Rapid Transit Agency

CM Construction Services, Inc.

Angie Dow, Executive Director

Monique Miron, President

Digitally signed by Monique Miron
DN: cn=Monique Miron, o=CM Construction Services, Inc.,
c=CA, email=monique.miron@cmconstruction.com,
date=2023.08.14 09:30:11-0700

KCAPTA - New KART Transit Station
CM Construction Services, Inc. - Job Number # 19070

Contract # 1920-02
Amendment #1

Invoice No:
Application Date:
Period To:

A	B	C	D	E	F	G
Item No.	Description of Work	Scheduled Value	Work Completed		Total Completed To Date (D + E)	% (F/C)
			From Previous Applications (D + E)	This Period		
Pre-Construction Phase						
Design Bidding Services						
1	Prepare Architectural RFQ	\$ 5,000.00	\$ 5,000.00	\$ -	\$ 5,000.00	100%
2	Pre-bid Conf & Meetings	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
3	Pre-bid RFIs and Addendums	\$ 3,000.00	\$ 3,000.00	\$ -	\$ 3,000.00	100%
4	Bid Review	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
5	Due Diligence / Bid Review / Recommendation	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
6	Prepare NOA, Contracts, NTP	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
		\$ 18,000.00				
Pre-Construction Services						
1	Comm, Meetings & Correspondence	\$ 75,000.00	\$ 75,000.00	\$ -	\$ 75,000.00	100%
2	Coordinate/Develop Design Drawings	\$ 30,000.00	\$ 30,000.00	\$ -	\$ 30,000.00	100%
3	Coordinate Utilities (Gas, Water, SS/SD, Power,)	\$ 29,000.00	\$ 25,000.00	\$ -	\$ 25,000.00	86%
4	Develop/Update Master Schedule	\$ 15,000.00	\$ 15,000.00	\$ -	\$ 15,000.00	100%
5	Construction Budget Reviews (CD 50%, 80% 100%)	\$ 35,000.00	\$ 35,000.00	\$ -	\$ 35,000.00	100%
6	Constructability Review (CD 50%, 80% 100%)	\$ 35,000.00	\$ 35,000.00	\$ -	\$ 35,000.00	100%
7	Construction Front End/Spec Development & Re	\$ 25,000.00	\$ 20,000.00	\$ -	\$ 20,000.00	80%
8	Permitting Assistance	\$ 15,000.00	\$ 15,000.00	\$ -	\$ 15,000.00	100%
		\$ 259,000.00				
Phase 1 - Bidding Services - Site Demo						
1	Site and Job Walks	\$ 2,000.00	\$ 2,000.00	\$ -	\$ 2,000.00	100%
2	Pre-bid Conf & Meetings	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
3	Pre-bid RFIs and Addendums	\$ 4,000.00	\$ 4,000.00	\$ -	\$ 4,000.00	100%
4	Bid Opening	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
5	Due Diligence / Bid Review / Recommendation	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
6	Prepare NOA, Contracts, NTP	\$ 2,500.00	\$ 2,500.00	\$ -	\$ 2,500.00	100%
		\$ 16,000.00				
Phase 2 - Bidding Services - KART Building						
1	Site and Job Walks	\$ 4,000.00	\$ 2,000.00	\$ -	\$ 2,000.00	50%
2	Pre-bid Conf & Meetings	\$ 5,000.00	\$ 2,500.00	\$ -	\$ 2,500.00	50%
3	Pre-bid RFIs and Addendums	\$ 8,000.00	\$ 4,000.00	\$ -	\$ 4,000.00	50%
4	Bid Opening	\$ 5,000.00	\$ 2,500.00	\$ -	\$ 2,500.00	50%
5	Due Diligence / Bid Review / Recommendation	\$ 5,000.00	\$ 2,500.00	\$ -	\$ 2,500.00	50%
6	Prepare NOA, Contracts, NTP	\$ 5,000.00	\$ 2,500.00	\$ -	\$ 2,500.00	50%
		\$ 32,000.00				
Construction Phase						
Phase 1 - Construction Services - Site Demo						
1	Coordinate Mobilization	\$ 5,000.00	\$ 3,000.00	\$ -	\$ 3,000.00	60%
2	General Administration	\$ 20,000.00	\$ 12,500.00	\$ -	\$ 12,500.00	63%
3	Review/Process Progress Payments	\$ 5,000.00	\$ 2,500.00	\$ -	\$ 2,500.00	50%
4	Comm/Corres (A/E, Owner, GC)	\$ 13,500.00	\$ 5,000.00	\$ -	\$ 5,000.00	37%
5	Onsite Inspections / Photo Document	\$ 13,500.00	\$ -	\$ -	\$ -	0%
6	RFI Review and Processing	\$ 9,000.00	\$ -	\$ -	\$ -	0%
7	Submittal Review and Processing	\$ 9,000.00	\$ -	\$ -	\$ -	0%
8	Change Order Management	\$ 6,500.00	\$ -	\$ -	\$ -	0%
9	Claims Review and Analysis	\$ 3,500.00	\$ -	\$ -	\$ -	0%
10	Coordination of Testing and Inspections	\$ 5,000.00	\$ -	\$ -	\$ -	0%
11	As-built Drawings	\$ 5,000.00	\$ -	\$ -	\$ -	0%
12	Project Closeout	\$ 5,000.00	\$ -	\$ -	\$ -	0%
		\$ 100,000.00				
Phase 2 - Construction Services - KART Building						
1	Coordinate Mobilization	\$ 10,000.00	\$ -	\$ -	\$ -	0%
2	General Administration	\$ 150,000.00	\$ -	\$ -	\$ -	0%
3	Review/Process Progress Payments	\$ 30,000.00	\$ -	\$ -	\$ -	0%
4	Comm/Corres (A/E, Owner, GC)	\$ 100,000.00	\$ -	\$ -	\$ -	0%
5	Onsite Inspections / Photo Document	\$ 100,000.00	\$ -	\$ -	\$ -	0%
6	RFI Review and Processing	\$ 40,000.00	\$ -	\$ -	\$ -	0%
7	Submittal Review and Processing	\$ 40,000.00	\$ -	\$ -	\$ -	0%
8	Change Order Management	\$ 25,000.00	\$ -	\$ -	\$ -	0%
9	Claims Review and Analysis	\$ 20,000.00	\$ -	\$ -	\$ -	0%
10	Coordination of Testing and Inspections	\$ 25,000.00	\$ -	\$ -	\$ -	0%
11	Coordinate Owner's FF&E	\$ 10,000.00	\$ -	\$ -	\$ -	0%
12	As-built Drawings	\$ 10,000.00	\$ -	\$ -	\$ -	0%
13	Start-up and Commissioning Support	\$ 20,000.00	\$ -	\$ -	\$ -	0%
14	Project Closeout / O&M / Training	\$ 20,000.00	\$ -	\$ -	\$ -	0%
		\$ 600,000.00				
		\$ 1,025,000.00	\$ 323,000.00	\$ -	\$ 323,000.00	32%



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KCAPTA - New KART Transit Station
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