

ATTACHMENT C
AGREEMENT # 2006 – AMENDMENT NO. 2
WITH CM CONSTRUCTION SERVICES

**Agreement # 2006
AMENDMENT NO.2**

**AMENDMENT NO. 2 TO AGREEMENT BETWEEN THE KINGS COUNTY
AREA PUBLIC TRANSIT AGENCY AND CM CONSTRUCTION SERVICES,
INC.**

THIS AMENDMENT is made and entered into the 22ND day of January 2025 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"

W I T N E S S E T H

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 delivery has been delayed, thereby affecting the Construction Services, described more particularly in the "Amendment #2" submitted CONTRACTOR, attached hereto and incorporated herein by this reference; and

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 Ninety-Five Thousand Dollars (\$1,095,000.00), 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



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

AMMENDMENT #2 – December 2024

Per Article XIII MISCELLANEOUS PROVISIONS of the Construction Management Agreement 1920-02 this Amendment #2 makes changes to Paragraph F Integration/Modification changes. 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 (1,095,000.00), 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.

Phase 2 – Construction Services:

Additional Work Related to extended administration - \$70,000.

	Modification - Extra Months (2)	
2	General Administration	\$ 25,000.00
3	Review/Process Progress Payments	\$ 4,000.00
4	Comm/Corres (A/E, Owner, GC)	\$ 8,000.00
5	Onsite Inspections / Photo Document	\$ 8,000.00
6	RFI Review and Processing	\$ 5,000.00
8	Change Order Management	\$ 10,000.00
9	Claims Review and Analysis	\$ 10,000.00
		\$ 70,000.00
	TOTAL:	\$ 1,095,000.00

The above fees correlate with the monthly approved payment schedule. The breakdown is anticipated breakdown of work activities. Anticipated hours are as follows:

Principal:	\$210/hr. (1 hr/wk for 8 weeks)	\$ 1,680
Sr. PM:	\$180/hr. (25 hrs/wk for 8 weeks):	\$36,000
PM:	\$150/hr. (25 hrs/wk for 8 weeks):	\$30,000
Admin:	\$72.50/hr. (4 hrs/wk for 8 weeks):	\$ 2,320
		\$70,000

**CMCS fees have increased from December 2020 rates by 20%.*



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

Kings Area Rapid Transit Agency

CM Construction Services, Inc.

_____ Date _____
Angie Dow, Executive Director

Monique Miron Digitally signed by Monique Miron
Date: 2024.12.10 17:35:33 -08'00' _____ Date _____
Monique Miron, President