

**RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION INCREASING THE AUTHORITY OF THE DIRECTOR OF PUBLIC WORKS AND/OR DESIGNEE(S) TO EXECUTE CHANGE ORDERS TO THE CONSTRUCTION AGREEMENT WITH SBAY CONSTRUCTION, INC. FOR THE EAST PALO ALTO CITY HALL IMPROVEMENTS PROJECT, TO INCREASE THE NOT-TO-EXCEED AMOUNT OF \$9,790,000 BY AN ADDITIONAL \$250,000 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$10,040,000**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, on December 13, 2022, this Board adopted Resolution No. 079394, which authorized an Agreement with Sbay Construction, Inc. for the East Palo Alto City Hall Improvements Project (Project) in the amount of \$8,900,000 and authorized the Director of Public Works to execute subsequent change orders to grant time extensions for project completion and payment up to a maximum not-to-exceed amount of \$9,790,000; and

**WHEREAS**, by authority of Resolution No.079394, the Department of Public Works (Department) issued Change Orders granting time extensions and payment for unanticipated conditions and additional construction phasing requirements up to the previously authorized \$890,000 or approximately 10 percent of the original agreement amount; and

**WHEREAS**, during construction of the Project additional construction phases were added to accommodate building tenants and the provision of services to the

community and unanticipated conditions were encountered, which lengthened the construction duration and cost; and

**WHEREAS**, the Director of Public Works recommends the not-to-exceed amount of the Agreement with Sbay Construction, Inc. be increased by \$250,000 for a new not-to-exceed amount of \$10,040,000, to allow Sbay Construction, Inc. to complete the close-out of the Project; and

**WHEREAS**, this Board has considered and concurs with the recommendation of the Director of Public Works.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Director of Public Works', or designee's, authority to execute change orders to the contract with Sbay Construction, Inc. for the East Palo Alto City Hall Improvements Project is hereby increased by an additional \$250,000, to a new not-to-exceed amount of \$10,040,000, to complete close-out of the Project.

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