

**AMENDMENT TO AGREEMENT
BETWEEN THE COUNTY OF SAN MATEO AND VANIR CONSTRUCTION
MANAGEMENT, INC.**

THIS AMENDMENT TO THE AGREEMENT, entered into this 25th day of February, 2020, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Vanir Construction Management, Inc., hereinafter called "Contractor";

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, the parties entered into an Agreement for project management services on August 3, 2017; and

WHEREAS, the parties wish to amend the Agreement to the terms in Exhibit B and B-1.

NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:

1. Section 3 (Payments) of the agreement is amended to read as follows:

“In consideration of the services provided by Contractor in accordance with all terms, conditions, and specifications set forth in this Agreement and in Exhibit A, County shall make payment to Contractor based on the rates and in the manner specified in Exhibit B. County reserves the right to withhold payment if County determines that the quantity or quality of the work performed is unacceptable. In no event shall County’s total fiscal obligation under this Agreement exceed THREE MILLION THREE HUNDRED EIGHTY EIGHT THOUSAND NINE HUNDRED FORTY FOUR DOLLARS (\$3,388,944). In the event that the County makes any advance payments, Contractor agrees to refund any amounts in excess of the amount owed by the County at the time of contract termination or expiration. Contractor is not entitled to payment for work not performed as require by this agreement.”

2. Section 4 (Term) of the agreement is amended to read as follows:

“Subject to compliance with all terms and conditions, the term of this Agreement shall be from March 1, 2020 through February 28, 2023.”

3. Original Exhibit B paragraph #4 is hereby replaced with the following:

In no event shall this agreement exceed \$3,388,944.

4. Original Exhibit B1 is hereby deleted in full and replaced with the following in Exhibit B-1 Rates (Revised 2/25/2020) below.
5. **All other terms and conditions of the agreement dated August 3, 2017, between the County and Contractor shall remain in full force and effect.**

Exhibit B (Revised 2/25/2020)

In consideration of the services provided by Contractor described in Exhibit A and subject to the terms of the Agreement, County shall pay Contractor based on the following fee schedule and terms:

See Exhibit B-1 for hourly rates by position.

Contractor will invoice County for services provided on a monthly basis. Contractor may bill at cost for reimbursement of eligible work related expenses with receipt.

In no event shall this agreement exceed \$3,388,944..

EXHIBIT B-1 RATES (Revised 2/25/2020)



Construction Management, Inc.

County of San Mateo Project Development Unit - Agreement No. 84700-18-R075267

2020 Project Management Services														TOTAL	
	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Hours	Rate	
Project Executive Daniel Ferst	8	8	8	8	8	8	8	8	8	8	8	8	96	221.00	21,216
Project Manager Laurence Maller	160	160	160	160	160	160	160	160	160	160	160	160	1,920	187.00	359,040
Project Engineer Ken Li	40	160	160	160	160	160	160	160	160	160	160	160	1,800	95.00	171,000
Project Engineer TBD		130	160	160	160	160	160	160	160	160	160	160	1,730	95.00	164,350
Document Controls Specialist Jennie Cox	4	4	4	4	4	4	4	4	4	4	4	4	43	100.00	4,800
Reimbursable Expenses	75	150	150	150	150	150	150	150	150	150	150	150			1,725
Monthly Budget Billing	35,963	59,788	62,638	62,638	62,638	62,638	62,638	62,638	62,638	62,638	62,638	62,638			722,131
Monthly Utilization/Ongoing Totals	1,294,813	1,330,776	1,380,564	1,453,202	1,515,840	1,578,478	1,641,116	1,703,754	1,766,392	1,829,030	1,891,668	1,954,306	2,016,944		
Total For Project Management Services														5,594	722,131



Construction Management, Inc.

Team Rates

County of San Mateo Project Development Unit

POSITIONS	HOURLY RATES			
	2020	2021	2022	2023
Project Executive	\$221	\$228	\$235	\$242
Project Manager	\$187	\$193	\$199	\$205
Project Engineer	\$95	\$98	\$101	\$104
Documents Controls Specialist	\$100	\$103	\$106	\$109

Notes:

- Proposed billing rates include a 3% escalation factor rounded to the nearest whole dollar.
- Rates assume that the County of San Mateo or the Project Development Unit will provide office space and associated equipment and supplies for Vanir personnel (furniture, office supplies, printers, internet connectivity, project management software, etc.). Vanir will provide computers and mobile phones.

THIS CONTRACT IS NOT VALID UNTIL SIGNED BY ALL PARTIES. NO WORK WILL COMMENCE UNTIL THIS DOCUMENT HAS BEEN SIGNED BY THE COUNTY PURCHASING AGENT OR AUTHORIZED DESIGNEE.

For Contractor: VANIR CONSTRUCTION MANAGEMENT, INC.


Contractor Signature

FEB. 20, 2020
Date

STEVEN WHITEHEAD
Contractor Name (please print)
President

For County:

Purchasing Agent Signature
(Department Head or
Authorized Designee)
County of San Mateo

Date

Purchasing Agent Name (please print)
(Department Head or **Authorized** Designee)
County of San Mateo

Purchasing Agent or **Authorized** Designee
Job Title (please print)
County of San Mateo