

FIRST AMENDMENT TO AGREEMENT FOR DESIGN/BUILD CONTRACTOR

THIS FIRST AMENDMENT TO AGREEMENT FOR DESIGN/BUILD CONTRACT (“Amendment”) is made and effective as of the 18th day of February, 2020 by and between the CITY OF BEAUMONT (“CITY”), a general law city, and Baker Electric, Inc., a California corporation (“CONTRACTOR”) in consideration of the mutual promises and purpose contained herein, the parties agree as follow:

RECITALS

This First Amendment is made with respect to the following facts and purpose that the parties agree are true and correct:

A. On September 17, 2019 the City and CONTRACTOR entered into that certain agreement entitled “Design/Build Contract” (“Agreement”).

B. Contractor has begun performing the services under the Agreement and because of delays in the project caused by the actions of Southern California Edison (SCE), Baker Electric requires an extension of ninety days to the stated deadline in the contract as stated in Section 1.4 of the Agreement.

AMENDMENT

Section 1.4 of the Agreement is hereby amended to delete the original referenced guaranteed completion date and to insert the following language:

“1.4 Period of Performance. The Design-Build Entity guarantees that it shall perform and complete all work necessary for final completion of the Project.”

The recitals to this Amendment are deemed incorporated herein by this reference. All other terms of the Agreement not expressly amended by this Amendment shall remain in full force and effect. In the event of a conflict between the Agreement and this Amendment, this Amendment shall control.

[Signatures on following page]

SIGNATURE PAGE TO

CITY OF BEAUMONT
FIRST AMENDMENT

CITY:

CITY OF BEAUMONT

By: _____
Rey Santos, Mayor

CONTRACTOR:

BAKER ELECTRIC, INC., A CALIFORNIA
CORPORATION

By: _____

Print Name: _____

Title: _____

ATTEST:

By: _____
Steven Mehlman, City Clerk

APPROVED AS TO FORM:

By: _____
John O. Pinkney, City Attorney