**Project**: Wilson ES Restrooms #11-03
**Project**: Muir MS Restrooms #11-04
**Program ID No**.: 780

# AMENDMENT #1

# CONSTRUCTION MANAGEMENT SERVICES

This "AMENDMENT" made and entered into this November 15, 2011 by and between San Leandro Unified School District, a political subdivision of the State of California, herein called "District" and "O'Connor".

*O'Connor Construction Management, Inc.*
*7041 Koll Center Parkway, Suite 135*
*Pleasanton, CA 94566*
*Tom Hodges, Principal*

Whereas, the parties entered into an agreement on March 23, 2011 whereby O'Connor was to provide construction management services in connection with the modernization projects, specifically **Restroom Renovations at Wilson ES #11-03 and Muir MS #11-04, and Painting & Lighting Renovations at Wilson ES Project #11-05** (Agreement); and

Now therefore the parties agree to amend and modify the Agreement as follows:

## 1.0 DESCRIPTION OF THE AMENDMENT

This Amendment (#1) modifies the Agreement, Exhibit B, due to additional efforts required for construction management during the construction phase.

To the extent that this Amendment conflicts with any of the provisions of the Agreement, the terms and conditions of this Amendment shall have precedence. To the extent that any ambiguity or conflict is created by this Amendment as to the services and/or deliverables to be provided by the Construction Manager, the provision shall be given the interpretation most favorable to the District.

## 2.0 FEE FOR BASIC SERVICES

The original fee was $180,000. This Amendment #1 will increase the fee in Exhibit B by $14,320, so that the 'Not To Exceed Fee' is in the amount of $194,320.

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The not to exceed amount for each project is as follows:

| | |
|---|---|
| Wilson ES Restrooms – Kitchen upgrade required by Alameda Health Dept: | $8,000 |
| Muir MS Restrooms – Emergency Replacement of failed exterior sewer line: | $6,320 |
| Total = $14,320 | |

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed this _____ day of _____, 20____.

| | |
|---|---|
| Construction Manager | District |
| By: _____ | By: _____ |
| Tom Hodges, Principal | Song Chin-Bendib,<br>Assistant Superintendent |