

ALAMEDA UNIFIED SCHOOL DISTRICT
Excellence & Equity For All Students

AMENDMENT NO. 1 to Repairs, Maintenance or Small Construction Project (CUPCCAA) #2188

Dated May 16, 2022

This Amendment is entered into between the Alameda Unified School District (District) and **MBS Engineering** (CONTRACTOR). District entered into a CUPCCAA Agreement with CONTRACTOR for Storm Drain Repairs Lincoln Middle School, and the parties agree to amend that Agreement as follows:

1. Services

Per AUSD evaluation and Contractor findings outlined in Exhibit A, project work, supplies & labor were adjusted. Contractor deducted amounts from original scope & pricing.

2. Compensation

There are deductive changes to the amount of the contract.

Original Amount: \$41,656.88

Deducted Amount: \$13,321.27

Final Amount: \$28,335.61

3. Remaining Provisions: All other provisions of the Agreement, and prior Amendment(s) if any, shall remain unchanged and in full force and effect as originally stated.

4. Amendment History:

 X There are no previous amendments to this Agreement.

 This contract has previously been amended as follows:

No.	Date	General Description of Reason for Amendment	Amount of Increase/(Decrease)

"DISTRICT"

Date: 10/28/2022

By: Monty Patterson

Name: Monty Patterson

Title: Director of Maintenance, Operations & Facilities

Date: 10/28/2022

By: Shariq Khan
Shariq Khan (Oct 28, 2022 08:32 PDT)

Name: Shariq Khan

Title: Assistant Superintendent of Business Services

"CONTRACTOR"

Date: 10/25/22

By: [Signature]

Name: Dan Whaley

Title: President

King, Nikki

From: Addicott, Brian
Sent: Tuesday, October 4, 2022 9:16 AM
To: King, Nikki
Cc: Patterson, Monty; Manis, Julie Lee
Subject: Contract #2188 - Lincoln Middle School_Storm Drain Repairs_MBS (AMENDMENT NEEDED)
Attachments: 22118- DAILY REPORT TABULATIONS 100322.pdf; 22118 MBS Pay App #1 AUSD Contract 2188 Lincoln Storm Sewer Project 08-15-22.pdf

Hello Nikki,

Can you prepare an amendment for the subject contract. This will be for a deduction of \$13,321.27.

Thanks,
Brian

Brian Addicott
Facilities Maintenance Manager
Alameda Unified School District
Office# 510.337.7000 ext. 25804
Mobile# 510.205.1761

From: Dan Whaley <Dan@MBS.Engineering>
Sent: Tuesday, October 4, 2022 5:54 AM
To: Addicott, Brian <baddicott@alamedaunified.org>
Cc: Patterson, Monty <MPatterson@alamedaunified.org>; Manis, Julie Lee <jmanis@alamedaunified.org>; King, Nikki <NKing@alamedaunified.org>; Jocelyn Powell <Jocelyn@MBS.Engineering>; Jade Davies <jade@MBS.Engineering>
Subject: 22118 - RE: AUSD Pay Apps for Lincoln Middle School Storm Sewer Repairs - 2188

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Brian,

See attached tabulations for this project. Sorry for the delay I got behind on these. I have put together tabulations so we can be on the same page here. This took some work on my end but wanted to be as fair as possible. I took the hard costs from the original proposal (mobilization, safety and Bonds) and then did a T&M style billing for the remaining of the work we completed on-site.

Couple of things I wanted to mention here:

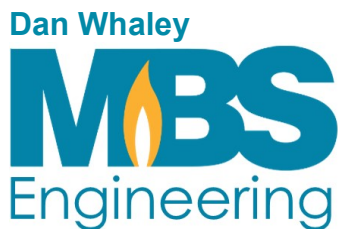
- Excavation & Backfill – I assumed 20 LF x 24" Width x 40-48" Depth. Our team excavated a 4'x4' hole down to 48" in one location and another 4'x2' hole in another location,

along with the multiple locations we dug to try to expose and find the pipe on the other end in the outfall area. This is close to the numbers we input here and moved slower than what I expected just due to the on-site conditions we found and worked through.

- Piping Installation/Investigation – We billed partial for this due to the numerous attempts at line locating which I put in this category. This work was completed by myself while I was on-site and I came out on a Saturday to take a look at as well and determine the path of the line.
- Concrete Installation – The concrete portion of this quote only included materials and most the work was included in excavation. The \$1,765.40 is very low for the actual concrete work really in any situation. Our team had to work hours of overtime when we did patch back on one day as well. I highlighted the materials as well as work within the tabulations.

See attached tabulations and let me know if this is acceptable on your end. This ended up being very close to what we actually billed and indicative of the work we performed. I would ask that we stick with our original billing so that we do not lose time on processing as I know I delayed the process in getting this back to you. Thanks much and give me a call with any questions.

Regards,



MBS Engineering, Inc

P: (925) 334-7200
M: (925) 989-9936
12855 Alcosta Blvd
San Ramon, CA 94583

DGS Small Business Certification #2003043

Web: www.MBS.engineering

A- General Engineering Contractor. Lic #990872

From: Addicott, Brian <baddicott@alamedaunified.org>

Sent: Thursday, September 15, 2022 9:32 AM

To: Dan Whaley <Dan@MBS.Engineering>

Cc: Patterson, Monty <MPatterson@alamedaunified.org>; Manis, Julie Lee <jmanis@alamedaunified.org>; King, Nikki <NKing@alamedaunified.org>

Subject: RE: AUSD Pay Apps for Lincoln Middle School Storm Sewer Repairs

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Hello Dan,

Last we discussed, you were going to take a second look at this pay app. Looking at the schedule of values your numbers looked a little higher for what the work that was actually accomplished. Additionally, you were pulling those guys to work multiple site at multiple times so they were not on-site a whole lot.

Items we would like adjustments are as follows:

Item 4 Excavation /Trenching and Back Fill – we certainly didn't complete 98% of the work we originally agreed upon. I would think it was closer to 50% for this item.

Item 5 Piping Installation / Investigation – We would think 30-40% is more appropriate considering that you install no pipe was installed during the course of this work.

Item 6 Concrete Installation - The original scope had you removing 15-20 lf of piping under concrete sidewalk I don't believe we came any where near that amount. We would like to see a reduction in the line Item as well.

Please rework and resubmit.

Regards,
Brian

Brian Addicott

Facilities Maintenance Manager
Alameda Unified School District
Office# 510.337.7000 ext. 25804
Mobile# 510.205.1761

From: Dan Whaley <Dan@MBS.Engineering>
Sent: Thursday, August 25, 2022 3:39 PM
To: Addicott, Brian <baddicott@alamedaunified.org>
Subject: Fwd: AUSD Pay Apps for Multi School

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Sent from my Verizon, Samsung Galaxy smartphone
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From: Jocelyn Powell <Jocelyn@MBS.Engineering>
Sent: Tuesday, August 16, 2022 7:31:16 AM
To: Wong, Priscilla <PWong@alamedaunified.org>
Cc: Dan Whaley <Dan@MBS.Engineering>
Subject: AUSD Pay Apps for Multi School

Good morning Priscilla,

Attached are the following Pay Apps for your review and processing:

- Chipman (AUSD Contract #2240)
- Woodstock (AUSD Contract #211606ACLC)
- Longfellow (AUSD Contract #2189)
- Lincoln (AUSD Contract #2188)

We appreciate your business and please feel free to contact me should you need additional information.

Thank you!

Jocelyn Powell



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