

ADAMS COUNTY, COLORADO
FIRST ADDENDUM TO
CONSTRUCTION AGREEMENT

THIS FIRST ADDENDUM TO CONSTRUCTION AGREEMENT ("First Addendum") is entered into this 14th day of December, 2016, by and between the Board of County Commissioners of Adams County, Colorado, located at 4430 South Adams County Parkway, Brighton, CO 80601, and, Foothills Paving & Maintenance, Inc., located at 15485 W. 44th Avenue, Suite C, Golden, CO 80403, hereinafter referred to as the "Contractor."

RECITALS

WHEREAS, on June 10, 2016, the County entered into a Construction Agreement with Foothills Paving & Maintenance, Inc., to furnish all of the labor, machinery, equipment, materials, and supplies necessary to perform all of the work shown on the plans and described in the specifications, and all other documents, for the 2016 Street Seal Program; and,

WHEREAS, the County and the Contractor mutually agree to increase the quantities needed to complete the roads identified in the 2016 Street Seal Program. Attachment "A", Change Order One, lists the pay item, item description, unit of measure and quantities required.

NOW, THEREFORE, for the consideration set forth herein, the sufficiency of which is mutually acknowledged by the parties, the County and the Contractor agree as follows:

1. The Contractor will provide additional materials and complete the crack seal work required in the amount of twenty-two thousand eighty-nine dollars and ten cents (\$22,089.10).
2. The Construction Agreement and this First Addendum contain the entire understanding of the parties hereto and neither it, nor the rights and obligations hereunder, may be changed, modified, or waived except by an instrument in writing that is signed by both parties. Any terms, conditions, or provisions of the Service Agreement that are not amended or modified by this First Addendum shall remain in full force and effect. In the event of any conflicts between the terms, conditions, or provisions of the Construction Agreement and this First Addendum, the terms, conditions, and provisions of this First Addendum shall control.
3. The Recitals contained in this First Addendum are incorporated into the body hereof and accurately reflect the intent and agreement of the parties.
4. This First Addendum may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one and the same agreement.
5. Nothing expressed or implied in this First Addendum is intended or shall be construed to confer upon or to give to, any person other than the parties, any right, remedy, or claim under or by reason of this First Addendum or any terms, conditions, or provisions hereof. All terms, conditions, and provisions in this First Addendum by

6. If any provision of this First Addendum is determined to be unenforceable or invalid for any reason, the remainder of the First Addendum shall remain in effect, unless otherwise terminated in accordance with the terms contained in the Construction Agreement.
7. Each party represents and warrants that it has the power and ability to enter into this First Addendum, to grant the rights granted herein, and to perform the duties and obligations herein described.

IN WITNESS WHEREOF, the County and the Contractor have caused their names to be affixed.

Board of County Commissioners

Chair Steven J. Donais

Date 1/17/17

ATTEST:
STAN MARTIN
CLERK AND RECORDER

Channah
Deputy Clerk

Approved as to form:
R. Edelst
Adams County Attorney's Office

Foothills Paving & Maintenance, Inc.

Michael L. Horn Pres.
Signature Michael L. Horn, President

12-14-16
Date

Signed and sworn to before me on this 14th day of December, 2016 by


Katherine Miller

K Miller
Notary Public

My commission expires on: 12/17/20



Attachment "A"

 ADAMS COUNTY <small>Colorado</small>	ADAMS COUNTY TRANSPORTATION DEPARTMENT CHANGE ORDER	Project Id. No.: 3055-7822	Project Code (SAW): IMP2016-00002
		Location: Various Locations in Adams County	Date: 8/19/16
Contact: Foothills Paving & Maintenance		Estimated cost to project: Increase X Decrease \$22,089.10	
Complete Address: 5040 Tabor Street, Wheat Ridge, CO 80033		Total additional days allowed to complete work: 0	Federal Oversight? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Modification Title: Change Order #001 - Modification of pay quantities of existing items			

Your contract is hereby modified to modify the existing pay items. The following pay items shall be increased: Hot Pour Joint and Crack Sealant and Epoxy Pavement Marking. All work shall be performed per the Project Special Provisions, Standard Special Provisions, Standard Specifications, M&S Standards, Contract, and as directed by the Project Engineer.

This Change Order modifies the plan quantities at the following existing Unit Prices.

Pay Item No.	Item Description	Unit	Quantity	Unit Price	Total
304-06000	Aggregate Base Course (Class 6)	TN	25.00	\$66.00	\$1,650.00
403-00720	Hot Mix Asphalt (Patching) (Asphalt)	TN	133.75	\$210.00	\$28,087.50
408-01000	Hot Poured Joint and Crack Sealant	TN	16.8	\$9,350.00	\$156,280.00
408-01400	Crack Sealant (Special)	TN	15.00	\$3,850.00	\$57,750.00
627-00005	Epoxy Pavement Marking	GAL	15	\$87.00	\$1,305.00
700-70D10	E/A Minor Contract Revisions	E/A	15.00	\$7,500.00	\$112,500.00
Total of Change Order:					\$22,089.10

I hereby accept this order for work to be performed and prices on which payment is to be based.			
REQUIRED IN ACCORDANCE WITH INSTRUCTIONS IN THE CDOT CONSTRUCTION MANUAL		REQUIRED FOR ALL CHANGE ORDERS	
Approved by FHWA Operations Engineer:	Date:	Authorized by Project Engineer:	Date:
		<i>Christa Stewart</i>	4/18/16
OPTIONAL for additional funding requests		Contractor Representative: <i>Michael E. Nova</i>	Date: 11-18-16
Approved by Board of County Commissioners:	Date:	Approved by Construction Manager:	Date:
		<i>Ken V. [Signature]</i>	11-18-16
		Participating Non-participating Participation as noted	
Approved Funding by Transportation Director:			Date: