

**REVISED - AGREEMENT**

[To be executed between the District and the selected/awarded contractor]

THIS AGREEMENT, made this \_\_\_ day of \_\_\_\_\_, 20\_\_ in the County of San Diego, State of California, by and between the **Palomar Community College District**, hereinafter called the District, and \_\_\_\_\_, hereinafter called the Contractor,

**WITNESSETH** that the District and the Contractor for the considerations stated herein agree as follows:

**ARTICLE 1 - SCOPE OF WORK.** Within the time agreed to the Contract herein, Contractor shall perform and provide all labor, materials, apparatus, utility services, facilities, transportation, tools and equipment and perform all the work required to construct and complete the following titled project in a good and workmanlike manner and in strict accordance with the Contract Documents (the "Work"):

**BID NO. 103-19  
Arboretum Trails Project: ("Project").**

**ARTICLE 2 - TIME FOR COMPLETION.** (a) The work shall be commenced on the date stated in the District's Notice to Proceed, as provided in Item # 1 of the Specifications - Special Conditions. As specified in District's Notice to Proceed, the work shall be completed within 120 calendar days, no later than \_\_\_\_\_, 20\_\_\_\_ ("Completion Date").

(a) In entering into this Agreement, Contractor acknowledges and agrees that the construction duration stipulated herein is adequate and reasonable for the size and scope of the Project.

**ARTICLE 3 – CONTRACT PRICE.** The District shall pay to the Contractor as full consideration for the faithful performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including any applicable sales, use or other taxes or costs, the sum of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_, the "Contract Amount"), said sum being the total amount of the following amounts stipulated in the bid.

1) **Base Bid** (excluding Unit price Allowance items listed in item 2 below ): \$ \_\_\_\_\_

2) **Unit price Allowance items (installed fully loaded unit prices):**

**Note:** All pipe and line unit costs to include line fittings.

<u>Item</u> * with warning sticker ** purple pipe	<u>QTY</u>	<u>Unit Price</u>	<u>Total</u>
¾" lateral line (on grade) UVR PVC SCH 40 pipe*	100 LF	\$ _____	\$ _____
1" lateral line (on grade) UVR PVC SCH 40 pipe*	100 LF	\$ _____	\$ _____
1¼" lateral line (on grade) UVR PVC SCH 40 pipe*	100 LF	\$ _____	\$ _____
3" press supply line (on grade) (main) SCH 40 galv stl*	100 LF	\$ _____	\$ _____
¾" non-pressure lateral line PVC SCH 40**	1000 LF	\$ _____	\$ _____
1" non-pressure lateral line PVC SCH 40**	100 LF	\$ _____	\$ _____
Drip flush cap (manual operation)	10 ea.	\$ _____	\$ _____
Drip air vacuum / relief valve	10 ea.	\$ _____	\$ _____
Dripline	1000 LF	\$ _____	\$ _____
Drip flush valve assembly	10 ea.	\$ _____	\$ _____
12" Pop-up Stream Rotator	100 ea.	\$ _____	\$ _____

**Subtotal Unit Price Allowance:** \$ \_\_\_\_\_

3) **Owner's Allowances**

- a) Allowance for Weather Delays (beyond contract required) \$ 10,000.00\*\*\*
- b) Allowance for Environmental Issues \$ 20,000.00\*\*\*
- c) Allowance for Unforeseen Conditions \$100,000.00\*\*\*
- d) Allowance for Miscellaneous Added Scope \$ 20,000.00\*\*\*

**Subtotal Owner's Allowance:** **\$150,000.00**

**Total Base Bid**

(Including Unit Price Allowances & Owner's Allowances): \$ \_\_\_\_\_ \*\*\*\*

**\*\*\*Owner's Unspecified Allowance:** Bidder shall include in Bid Proposal the stipulated sum of One Hundred Fifty Thousand Dollars (\$150,000.00) to be allocated as follows: \$10,000 for Weather Delays (beyond contract required), \$20,000 for Environmental Issues, \$100,000 for Unforeseen Conditions and \$20,000 for Miscellaneous Added Scope. Any Allowance work is

to be performed ONLY at the determination and direction of the District. Work performed at the determination and direction of the District under this Allowance shall be documented by Contractor and submitted to District's Representative. Contractor shall include separate line items in Contractor's Schedule of Values for the listed "Allowances" totaling of One Hundred Fifty Thousand Dollars (\$150,000.00). At closeout of contract, any funds remaining in the Allowance shall be credited to District through a Change Order.

**\*\*\*\*Said BID PRICES include all applicable taxes and costs and Owner's Unspecified Allowance.**

Payment shall be made as set forth in the General Conditions.

**ARTICLE 4 – COMPONENT PARTS OF THE CONTRACT.** The contract entered into by this Agreement consists of the following Contract Documents (referred to herein as the "Contract" or the "Contract Documents"), all of which are component parts of the Contract as if herein set out in full or attached hereto:

- Notice to Contractors Calling for Bids
- Information for Bidders
- Bid, as accepted
- Designation of Subcontractors
- Noncollusion Affidavit
- Verification of Contractor and Subcontractors' DIR Registration Agreement
- Performance Bond
- Payment Bond for Public Works
- Contractor's Certificate Regarding Workers' Compensation Specifications (all components)
- Addenda Nos. \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_ as issued
- Drawings, Plans and Technical Specifications

All of the above-named Contract Documents are intended to be complementary. Work required by one of the above-named Contract Documents and not by others shall be done as if required by all. This agreement shall supersede any prior agreement of the parties.

IN WITNESS WHEREOF, this Agreement has been duly executed by the above-named parties, on the day and year first above written.

**PALOMAR COMMUNITY COLLEGE DISTRICT**  
San Diego County, California

By: \_\_\_\_\_  
Ron E. Ballesteros-Perez,  
Assistant Superintendent, Vice President  
Finance and Administrative Services

\_\_\_\_\_  
Contractor  
*(SAMPLE ONLY. Do not submit with Bid)*  
By: \_\_\_\_\_  
Signature of Authorized Agent/Officer

Print Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

Date: \_\_\_\_\_

Award by Governing Board on \_\_\_\_\_, 20\_\_.

Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a contractor may be referred to the registrar of the board whose address is:

**Contractors State License Board**  
9821 Business Park Drive  
Sacramento, CA 95827  
Phone: (800) 321-CLSB  
<http://www.cslb.ca.gov>