

CHANGE ORDER

Performance Contract dated March 30, 2016 between Johnson Controls, Inc. and Customer (Job 6PZ5-0005/9P1G-0001)	Change Order No. 5	Date (mo/day/yr) 6/23/2020
Customer Modesto City School District		
The above referenced Performance Contract is hereby modified to the extent described below in accordance with the Terms and Conditions of the CHANGE ORDERS section thereof.		
Scope of Work changed as follows:		
No scope has been changed; this change order is an extension of time only due to Covid 19.		
Total amount of this Change Order	\$	0
Total Performance Contract amount as revised by this Change Order	\$	15,961,603.00
The time for completion is: <input checked="" type="checkbox"/> increased, <input type="checkbox"/> decreased, <input type="checkbox"/> unchanged. The new completion date resulting from this Change Order is:	(mo, day, yr) 01/31/2021	
[check if applicable] Assured Performance Guarantee changed as follows:		
<p>JCI approves the foregoing as to the changes, if any, to the Contract Price specified for each item, and as to the extension of time allowed, if any, for completion of the entire work as stated therein, and agrees to furnish all labor, materials and services and perform all work necessary to complete any additional work specified for the consideration stated therein. Submission of sums which have no basis in fact or which JCI knows are false are at the sole risk of JCI and may be a violation of the False Claims Act set forth under Government Code section 12650, <i>et seq.</i></p> <p>This change order is subject to approval by the governing board of this District and must be signed by the District. Until such time as this change order is approved by the District's governing board and executed by a duly authorized District representative, this change order is not effective and not binding.</p> <p>It is expressly understood that the compensation and time, if any, granted herein represent a full accord and satisfaction for any and all time and cost impacts of the items herein, and JCI waives any and all further compensation or time extension based on the items herein. The value of the extra work or changes expressly includes any and all of JCI's costs and expenses, both direct and indirect, resulting from additional time required on the project or resulting from delay to the project. Any costs, expenses, damages or time extensions not included are deemed waived.</p> <p>Unless specifically changed by this Change Order, all terms, conditions and provisions of the above referenced Performance Contract remain unchanged and in full effect.</p>		
JOHNSON CONTROLS, INC.	CUSTOMER	
Signature:	Signature:	
Printed Name: Robert Kelley	Printed Name:	
Title: Director of Operations	Title:	