

**SCOTTS VALLEY MIDDLE SCHOOL PROJECT
WAIVER - OWNER CHANGE ORDER #1**

THE COMPENSATION (TIME AND COST) SET FORTH IN THESE CHANGE ORDERS COMPRISES THE TOTAL COMPENSATION DUE THE CONTRACTOR FOR THE CHANGES DEFINED IN THE CHANGE ORDERS, INCLUDING EXTRA WORK AND IMPACT ON UNCHANGED WORK. ACCEPTANCE OF THESE CHANGE ORDERS CONSTITUTES A FULL AND COMPLETE ACCORD AND SATISFACTION OF ANY AND ALL CLAIMS BY CONTRACTOR ARISING OUT OF OR RELATING TO THE WORK AND ISSUES COVERED BY THE CHANGE ORDERS, INCLUDING BUT NOT LIMITED TO CLAIMS FOR CONTRACT BALANCE AND RETENTION, TIME, EXTENDED FIELD, HOME OFFICE OR OTHER OVERHEAD, ALL ACCELERATION, IMPACT, DISRUPTION AND DELAY DAMAGES, ANY AND ALL OTHER DIRECT AND/OR INDIRECT COSTS, CLAIMS BY SUBCONTRACTORS AND SUPPLIERS, AND ANY AND ALL OTHER CLAIMS AGAINST THE OWNER FOR TIME OR MONEY, FROM ANY SOURCE AND UNDER ANY LEGAL THEORY WHATSOEVER, AS TO THE SUBJECT OF THESE CHANGE ORDERS. NO SIGNATURE UNDER PROTEST OR ACCOMPANIED BY RESERVATION OF RIGHTS OR PROTEST LANGUAGE, OR ANY OTHER ATTEMPTS TO AVOID SUCH WAIVER SHALL BE OF ANY FORCE OR EFFECT WHATSOEVER. NO ADDITIONS OR DELETIONS TO THESE CHANGE ORDERS SHALL BE ALLOWED, EXCEPT WITH WRITTEN PERMISSION OF OWNER. NO LANGUAGE CONTAINED IN BACKUP MATERIAL TO ANY CHANGE ORDER SHALL CONSTITUTE A WAIVER OF THIS REQUIREMENT, AND SUCH BACKUP MATERIAL SHALL BE INTERPRETED AS THOUGH SUCH LANGUAGE DOES NOT EXIST.

This Change Order is hereby agreed to, accepted, and approved, and will be binding and enforceable upon approval by the Owner's governing body.

C. Overaa & Co



Overaa Construction

, Mike Conrad

Date: *2/8/18*



200 Parr Boulevard, Richmond, CA 94801
p 510-234-0926 f 510-237-2435 www.overaa.com

OWNER CHANGE ORDER

3405- 1

To: Scotts Valley Unified School District
4444 Scotts Valley Drive, Suite 5B
Scotts Valley, CA 95066

Change Order Date: 02/06/2018
Approved Change Order (ACO): 1

Job No.: 3405-Scotts Valley Middle School
8 Bean Creek Road
Scotts Valley, CA 95066

You are directed to make the following changes in this Contract:

COR No.	PCO	Description	Amount
1.00	1	Increment 1 DSA Approved Set, Issued 4/20/17	\$ 49,757.00
3.00	3	RFI #6 - Revised Route of New Fire Line	\$ 8,948.00
4.00	8	Toilet Accessories - Series Upgrade	\$ 1,022.00
5.00	13	Submittal 33 - Polycarbonate Glazing	\$ 1,155.00
8.00	7	Contaminated Soil Removal	\$ 87,929.00
9.00	17	June Beetle Mitigation at DTSC Contaminated Soil Location	\$ 3,677.00
10.00	21	Bulletin 03 - Changes to Food Services Equipment	\$ 798.00
11.00	12	Unknown Septic Tank and Sanitary Sewer Removal/Relocation at	\$ 47,763.00
12.00	32	Upgrade Admin Building Electrical Panels to 65K AIC Rating	\$ 2,999.00
13.00	23	Existing Utility Conflicts with Sanitary Sewer POC	\$ 10,348.00
14.00	24	Additional Pull Boxes	\$ 33,855.00
15.00	25	Revised Route for Food Services Sanitary Sewer Line	\$ 4,511.00
17.00	30	RFI 117 - (E) Utilities in path of (N) SD	\$ 15,224.00
18.00	27	RFI 108 - Added Studs at the Gym Roof	\$ 2,151.00
19.00	9	Unknown Conditions - 8" SS Line	\$ 2,559.00
20.00	26	Unknown Retaining Walls at Covered Walkway at Building B	\$ 1,373.00
21.00	33	Unknown Sanitary Sewer Line South of Building A	\$ 3,355.00
22.00	31	Temporary Storm Drain from Bio-Retention to Fire Access Lane	\$ 2,418.00
24.00	46	Add Hardcase to Scoreboard Controllers	\$ 451.00
25.01	47	RFI 180 - Change register Model from 300RS to S300FS	\$ 6,771.00
27.00	45	Added Rebar for Gym Canopy Footings	\$ 12,219.00
31.00	61	Bulletin 19 - City Comments to Irrigation	\$ 1,585.00
32.00	63	RFI 198 - Added HSS at Gym	\$ 9,421.00
33.00	60	RFI 109/RFI 212 - Added Footing and Steel	\$ 11,545.00
34.10	40	Project Time Extension: Glulam, Backing, Retaining Wall	\$ 150,000.00
35.00	34	RFI 103 - Remove Unknown Walls at MPR	\$ 23,532.00
37.00	57	RFI 204 - Increase Wall Framing	\$ 328.00
40.00	51	Credit for In-Plant Wall Panel Inspec	\$ (38,800.00)
41.00	43	Bulletin 15.1 - Changes to Library Storefront	\$ 8,925.00
44.00	71	Increased Height of Aluminum Letters at Scotts Valley Rd	\$ 1,357.00



OWNER CHANGE ORDER

3405- 1

200 Parr Boulevard, Richmond, CA 94801

p 510-234-0926 f 510-237-2435 www.overaa.com

48.00	74	Provide Additional Backing for OFOI Furniture in Bldgs D & E	\$ 8,553.00
49.00	84	Credit for Admin Bldg Exterior Lighting Fixtures	\$ (2,952.00)
50.00	73	RFI 193 and RFI 256 Added Furring at Bldgs D, E, and F	\$ 8,293.00
51.00	79	RFI 290 - Backing Revisions for HVAC Duct Support	\$ 1,297.00
52.00	81	RFI 253 - Temporary Power for Buildings D, E, F and Library	\$ 16,065.00
53.00	85	Bulletin 31 - Revised Planting Design	\$ (1,785.00)
54.00	96	Credit for Fire Extinguisher Changes	\$ (3,448.00)
55.00	75	Temp Power for the Fire Alarm and UPS Systems	\$ 2,621.00
60.00	91.1	CCD_15 Fiber Cement Panel Fastening	\$ 4,372.00
64.00	70	RFI 205.1 - Gym Mechanical Well Light Credit	\$ (1,656.00)

Total: \$ 498,536.00

Not valid until signed by both the Owner and Architect. Signature of the Contractor indicates the Contractor's agreement herewith, including any adjustment in the Contract Sum or Contract Time.

The Original Contract Sum was	\$ 33,228,000.00
The net change by previously authorized Change Orders was	\$ 0.00
The Contract Sum prior to this Change Order was	\$ 33,228,000.00
The Contract Sum will be increased by this Change Order	\$ 498,536.00
The new Contract Sum will be	\$ 33,726,536.00

The new Contract Completion date as of this Change Order will be 10/12/2018 (Milestone deadline removed)

Authorized By Owner:

Scotts Valley Unified School District

4444 Scotts Valley Drive, Suite 5B
Scotts Valley, CA 95066

By: [Signature]
Date: 2-8-18

Accepted By Contractor:

Chris Manning
C. Overaa & Co.

200 Parr Blvd
Richmond, CA 94801

By: [Signature]
Date: 2/8/18

Architect/Engineer:

~~Monique Wood~~ **BRENT MCCLINE**
CAW Architects

455 Lambert Avenue
Palo Alto, CA 94306

By: [Signature]
Date: 2.8.2018

I, Mike Conrad [name of declarant], declare the following:

Overaa Construction [Contractor company name] has contracted with Scotts Valley Unified School District for the Scotts Valley Middle School Campus Modernization Project. Overaa Construction [Contractor company name] authorized me to prepare the attached COR for money and/or time extension) for Scotts Valley Unified School District regarding this Project (dated 2/6/, 2018, entitled Owner Change order #1, and requesting \$ 498,536 and/or 90 additional days), and I prepared the attached COR. I am the most knowledgeable person at Overaa Construction [contractor company name] regarding this COR

The attached COR complies with all laws applicable to submission of a COR, including, but not limited to, California Penal Code section 72, Government Code sections 12650 et seq. (False Claims Act), and Business and Professions Code sections 17200 et seq. (Unfair Business Practices Act). I am aware that submission or certification of false COR, or other COR that violate law or the Contract, may lead to fines, imprisonment, and/or other serious legal consequences for myself or Overaa Construction [contractor company name].

The attached COR does not breach the Contract between Overaa Construction [contractor company name] and Scotts Valley Unified School District for this Project, is not a false COR does not violate any applicable law, satisfies all provisions of the Contract applicable to submission of the COR only contains truthful and accurate supporting data, and only requests money and/or time extensions that accurately reflect the adjustments to money and time for which I believe that Scotts Valley Unified School District is responsible under its Contract with Overaa Construction [contractor company name].

While preparing this declaration and COR I consulted with others (including attorneys, consultants, or others who work for Overaa Construction [Contractor company name]) when necessary to ensure that the statements were true and correct.

Contractor understands and agrees that any COR submitted without this certification does not meet the terms of the Contract Documents; that Owner, or Owner's representatives, may reject the COR on that basis; and that unless Contractor properly and timely files the COR with the certification, Contractor cannot further pursue the COR in any forum and all rights to additional money or time for the issues covered by the COR are waived due to a condition precedent not having been satisfied.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed 2/8, 2018, at Martinez, California.



Mike Conrad [name of declarant]