

AMENDMENT NO. 3 TO AGREEMENT

This AMENDMENT NO. 3 ("Amendment No. 3") to Tulare County Agreement No. 27894 (the "Agreement") is entered into as of September 26, 2017, between the COUNTY OF TULARE ("COUNTY") and FORCUM-MACKEY CONSTRUCTION, INC. ("CONTRACTOR"), with reference to the following:

WHEREAS, the COUNTY and CONTRACTOR entered into the Agreement effective November 15, 2016, pursuant to which the CONTRACTOR was to provide construction services for the Countywide Space Improvement and Relocation Project; and

WHEREAS, the Parties entered into Amendment No. 1 to the Agreement on February 28, 2017 and Amendment No. 2 on June 27, 2017, whereby they increased the Contract Sum and the Time of Completion to account for changes in the Project; and

WHEREAS, the Parties desire to further increase the Contract Sum in light of approved change orders with respect to the Work of the Project.

ACCORDINGLY, IT IS AGREED:

1. Article 4 of the Agreement is amended to read:

**ARTICLE 4
CONTRACT SUM**

The County shall pay the Contractor in current funds for the performance of the Work, subject to additions and deductions by Change Order or as otherwise provided in the Contract Documents, the Sum of \$4,038,386.51.

2. Except as expressly modified herein, all other terms and conditions of the Agreement, as previously amended, remain in full force and effect.

///

///

///

///

///

///

///

THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

Date: _____

By: _____
Chairman, Board of Supervisors

ATTEST: MICHAEL C. SPATA
County Administrative Officer/Clerk of the Board
of Supervisors of the County of Tulare

By _____
Deputy Clerk

FORCUM-MACKEY CONSTRUCTION, INC.

Date: _____

By: _____
NAME: _____
TITLE: _____

Date: _____

By: _____
NAME:
TITLE: _____

[Corporations Code section 313 requires that contracts with a corporation be signed by both (1) the chairman of the Board of Directors, the president or any vice-president (or another officer having general, operational responsibilities), and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer (or another officer having recordkeeping or financial responsibilities), unless the contract is accompanied by a certified copy of the corporation's Board of Directors' resolution authorizing the execution of the contract.]

Approved as to Form
County Counsel

By _____
Deputy
Matter # 20161479