



Chabot-Las Positas Community College District

MODIFICATION TO AGREEMENT

FOR

Lease-Leaseback Preconstruction Services

Reference is made to Lease-Leaseback Agreement made and entered into by and between Chabot-Las Positas Community College District and Rudolph & Sletten, hereinafter referred to as the "Lease-Leaseback Contractor" having its principal place of business at 2 Circle Star Way, 4th Floor, San Carlos, CA 94070 and Chabot-Las Positas Community College District, hereinafter referred to as the "District", dated July 14, 2020.

This Modification Number Two (2) to Agreement B210052: Lease-Leaseback Agreement; Library and Learning Connections Building at Chabot College for Chabot-Las Positas Community College District.

SCOPE:

Additional services to the above reference Agreement shall be, but not limited to, the following services at Las Positas College:

- Article 2, Item 11 Establishing GMP and Milestone Schedule of said Lease Leaseback Agreement, the contractor has successfully negotiated the Final GMP and Milestone Schedule for Increment 2: Construction of the Library and Learning Connections Building at Chabot College with District Staff.

The Contractor's combined GMP for Increment 1 and Increment 2 is within 2% of the construction budget.

FEE:

The Lump sum, Not-To-Exceed, fee for these additional services pursuant to this Modification is \$68,549,244.00 inclusive to all actual expenses.

Pre-Construction Services Fee	\$ 929,070.00
Increment 1: Soils Improvements	\$ 3,036,793.00
Increment 2: Construction (Current Change)	<u>\$68,549,244.00</u>
New Contract Amount	\$72,515,107.00

The TOTAL REVISED FEES, inclusive of this Modification and authorized to Rudolph & Sletten, by the District, to this date is \$72,515,107.00.



Chabot-Las Positas Community College District

TERMS & CONDITIONS:

This Modification is subject only to the terms and conditions of the above referenced Agreement. This Agreement, the accompanying modification and the documents enumerated below, if any, are all of the documents forming a part of the Agreement.

EXHIBIT D: Lease-Leaseback Agreement – Guaranteed Maximum Pricing (GMP) for Construction Services, Site Lease and Facilities Lease for Increment 2: Construction of the Library and Learning Connection Building Project at Chabot College dated September 28, 2021.

The foregoing constitutes the entire agreement and understanding between the District and Consultant concerning the subject matter hereof, replacing and superseding all prior agreements or negotiations, whether written or verbal. No term or condition of this Agreement shall be modified or amended except by writing executed by the District and Consultant.

IN WITNESS WHEREOF, this Agreement has been duly executed by the District and the Consultant as of the date set forth above.

“DISTRICT”
CHABOT-LAS POSITAS COMMUNITY
COLLEGE DISTRICT

“CONTRACTOR”
Rudolph & Sletten

By: _____
Jonah Nicholas
Vice Chancellor of Business
Services

By: _____
Title: _____