

**CONTRA COSTA COUNTY
PUBLIC WORKS DEPARTMENT
255 GLACIER DRIVE
MARTINEZ, CALIFORNIA 94553-4825
(925) 313-2000 FAX (925) 313-2101**

Effective Date: January 22, 2025
File: 250-2109

CHANGE ORDER NO. 4

Contract for MILLER WELLNESS CENTER, CRISIS STABILIZATION UNIT, 25 ALLEN
Construction of: STREET, MARTINEZ, CA

Effective Date of Contract: October 25, 2022

Authorization WH332D

TO: CWS Construction Group, Inc.
1301 Grant Avenue, Suite B
Novato, CA 94945

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

ADJUSTMENT IN COMPENSATION AT AGREED LUMP SUM PRICE:

Compensate the Contractor for settlement of all claims relating to alleged delays, disruption, acceleration, extra expenses, extended overhead, interest, and other impacts on the above project, including without limitation:

Item 4-01:	All items described in Contractor's COR 24 dated 4/21/2023.	
Item 4-02:	All items described in Contractor's COR 53 dated 11/6/2023.	\$123,734.49
Item 4-03:	All items described in the RFIs and other documents referred to in the above CORs.	

For settlement of the above claims, the Contractor shall receive and accept an agreed lump sum of \$123,734.49 and a time extension of 77 calendar days. This sum and time extension constitute full and complete compensation for providing all labor, material, equipment, tools, and incidentals, including all markups and overhead by reason of this change. By signature below, the Contractor agrees to accept the lump sum and time extension as full compensation for all direct and indirect costs for the Change Order work and as full compensation for any effects the change may have on the project in its entirety and/or on time required to complete the project.

Global Settlement

This Change Order is intended to constitute a global settlement of all claims and issues on this project that have occurred, that have been mentioned in the project records or correspondence, or that could be asserted by Contractor at any time ("Released Claims"), including without limitation all indirect, cumulative, or impact costs arising from or related to the Released Claims. In consideration of payment of the agreed lump sum amount and time extension as specified in this Change Order, the Contractor, on behalf of itself, its bonding company(ies), subcontractors, and suppliers, agrees to release and forever discharge the County, its officers, agents, employees, architects, consultants, and attorneys from any and all claims, actions, liability, or damages arising from or related to the Released Claims. Nothing in this Change Order shall constitute an admission of liability on the part of County or an admission or implication of the validity of Contractor's claims.

As a further part of the global settlement:

- (a) The County will pay to the Contractor retention in the amount of \$76,265.51 in accordance with Section 8(c) of the Construction Agreement dated October 25, 2022; and
- (b) The Contractor will dismiss with prejudice the Complaint filed in Contra Costa Superior Court (Case No. C24-02108) no later than five days after receiving of the settlement and retention payments from the County, with all parties bearing their own costs and attorney's fees.

Contract Summary:

The Original Contract Sum was	\$ 1,365,000.00
Net Change by previously approved Change Orders	\$ 160,309.87
The Contract Sum before this Change Order was	\$ 1,525,309.87
Contract Sum will be INCREASED by this Change Order	\$ 123,734.49
The new Contract Sum, including this Change Order will be	\$ 1,649,044.36

