

ATTACHMENT "A" TO CONTRACT CHANGE ORDER No. 2 FOR THE ANIMAL CONTROL SHELTER

1. Performance Bonds are not required and all references to Performance Bonds are removed by this contract change order.
2. EXHIBIT A General Conditions page 9 PRECEDENCE OF CONTRACT DOCUMENTS is modified as follows:

The order of precedence of documents shall be:

- (1) Rules and Regulations of Federal Agencies relating to the source of funds for this project.
- (2) Permits from other agencies as may be required by law.
- (3) Supplemental Agreements, Change Orders, or Contract the one dated later having precedence over another dated earlier.
- (4) Special Conditions.
- (5) General Conditions.
- (6) Technical Specifications.
- (7) Plans.
- (8) Standard Specifications.
- (9) Standard Plans.

Detailed Plans shall have precedence over general Plans.

Whenever any conflict appears in any portion of the Contract, it shall be resolved by application of the order of precedence.

3. EXHIBIT A General Conditions page 9 CONTRACT DOCUMENTS the first paragraph is removed in its entirety.
4. EXHIBIT A General Conditions page 10 in the PRE-CONSTRUCTION MEETING AND SCHEDULE OF WORK section, the last sentence of the last paragraph *"If charges are not paid within 15 days of invoice, City may elect in its sole discretion to withhold unpaid charges from any progress payments."* Is removed in its entirety.
5. EXHIBIT A General Conditions page 28 CLAIMS AND DISPUTES paragraph (5) c is removed in its entirety.
6. EXHIBIT A General Conditions page 32 PAYMENTS WITHHELD paragraph (11) is removed in its entirety.

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7. EXHIBIT A General Conditions page 33 PAYMENTS WITHHELD paragraph (14) is removed in its entirety.
8. EXHIBIT B SPECIAL CONDITIONS UTILITIES on page 7 add the following to the third paragraph: "If the Contractor should encounter utilities not shown on the plans the City will compensate the Contractor for the costs associated with the protection of those utilities."
9. The Animal Shelter Project must be substantially complete, as described in the section titled, "COMPLETION" in EXHIBIT A General Conditions page 29 and 30, by December 31, 2021. This date for substantial completion, as well as the Contract Price, is conditioned upon Contractor receiving all permits and approvals necessary for the work and a Notice to Proceed (NTP) in writing from the City by November 20, 2020. If any such permits, approvals, or NTP are not received by Contractor by this date, then the date for substantial completion and the Contract Price shall be adjusted accordingly by change order.
10. EXHIBIT A General Conditions page 29 PROGRESS PAYMENTS AND RETENTION at the end of the first paragraph, add the following: "The monthly payment date shall not be later than thirty (30) days after the City receives the Application for Payment."
11. EXHIBIT A General Conditions page 30 EXTENSION OF TIME – LIQUIDATED DAMAGES at the end of the section, add the following: "Contractor and City agree that the amount for liquidated damages will be \$500 per day."
12. See ATTACHMENT "B" TO CONTRACT CHANGE ORDER No. 2 for specific scope clarifications and exclusions to this contract. All clarifications and exclusions enumerated in this attachment shall take precedence over all plans, drawings, specifications and other contract documents.
13. See ATTACHMENT "C" TO CONTRACT CHANGE ORDER No. 2 for the list of plans incorporated by reference and upon which this contract is based. Any reference to Specifications, Contract Documents, Drawings, or Plans in the Contract shall mean those plans enumerated in ATTACHMENT "C" TO CONTRACT CHANGE ORDER No. 2.