

**AMENDMENT NO. 1
BID NO. 605304-19
ANNUAL REQUIREMENTS CONTRACT FOR PERMANENT MARKINGS MODIFICATION,
INSTALLATION AND MAINTENANCE**

THIS AMENDMENT is made and entered into this ___ _ day of _____ 2023, by and between CLARK COUNTY, NEVADA (hereinafter referred to as "COUNTY"), and NEVADA BARRICADE AND SIGN COMPANY (hereinafter referred to as "SUCCESSFUL BIDDER").

WITNESSETH:

WHEREAS, the parties entered into an agreement under Bid Number 605304-19, entitled "Annual Requirements Contract for Permanent Markings Modification, Installation and Maintenance" dated October 17, 2019 (hereinafter referred to as CONTRACT); and

WHEREAS, the parties desire to amend the CONTRACT.

NOW, THEREFORE, the parties agree to amend the CONTRACT as follows:

1. Add the following to General Conditions, Page 2-12, Section 5: Project Costs and Wages:

5.2 PRICE ADJUSTMENT REQUESTS FOR MATERIALS

1. PRICE ADJUSTMENT REQUESTS FOR MATERIALS

Commencing on date of award, prices shall not be subject to change during the initial term, thereafter, there may be price adjustments. All price adjustment requests, including suitable proof, shall be submitted, at least thirty (30) calendar days in advance of SUCCESSFUL BIDDER'S expectation of price increase commencement, to the Clark County, Nevada, Administrative Services Department, Purchasing Manager, 500 South Grand Central Parkway, Las Vegas, Nevada 89155. Price increases shall not be retroactive. A price adjustment can only occur if SUCCESSFUL BIDDER has been notified in writing of COUNTY'S approval of the new Price(s). Only 1 written price adjustment request(s) will be accepted from SUCCESSFUL BIDDER per term. The reference months/period and indexes to be used to determine price adjustments will be the most recent published index between 14-16 months prior (using the final index) and 2-4 months prior (using the first-published index) to the anniversary date of the Contract, using the price index specified below.

Consumer Price Index (CPI) or Producer Price Index (PPI): [All items in U.S. city average, all urban consumers, seasonally adjusted]. Series ID: [CUR0000SA0] will be used as the index for the price adjustments. The price adjustment per year may be the lesser of the percent of CPI or PPI change or 3% percent for an increase or decrease.

Suitable Proof:

Print-out of CPI/PPI index and calculated increase.

Drastic Market Conditions

Should drastic market conditions occur which dictate a significant price increase of any line item(s) during the term of CONTRACT, COUNTY may consider these increases in addition to the allowed increases, providing SUCCESSFUL BIDDER submits written documentation and suitable proof by line item to COUNTY requesting permission and explaining in detail the unforeseen circumstances predicated the request to increase pricing. Suitable proof shall be required as defined above. A significant price increase means a change in price from the date of the last price increase, to the date of performance by an amount exceeding 10% percent. General industry correspondence with regards to market conditions are not suitable proof.

Price Decrease

COUNTY shall receive the benefit of a price decrease to any line item at any time during the initial term and for any subsequent term(s) if the decrease exceeds 10% percent of CONTRACT price. If, at the point of exercising the price adjustment provision, market media indicators show that the prices have decreased, and that SUCCESSFUL BIDDER has not passed the decrease on to COUNTY, COUNTY reserves the right to place SUCCESSFUL BIDDER in default, terminate CONTRACT, and such actions will reflect adversely against SUCCESSFUL BIDDER in determining the responsibility and non-responsibility of SUCCESSFUL BIDDER in future opportunities.

Except as expressly amended herein, the terms and conditions of the CONTRACT shall remain in full force and effect.

COUNTY:
COUNTY OF CLARK, NEVADA

SUCCESSFUL BIDDER:
NEVADA BARRICADE AND SIGN
COMPANY

By: _____
JESSICA COLVIN
Chief Financial Officer

By: Joshua Dethmers
JOSHUA DETHMERS
Chief Estimator

APPROVED AS TO FORM:
STEVEN B. WOLFSON, District Attorney

By: Jason Patchett
Jason Patchett (Jul 18, 2023 13:05 PDT)
JASON B. PATCHETT
Deputy District Attorney

