

MODIFICATION OF CONTRACT



1. **Modification No.:** 004 2. **Effective Date:** 01 June 2009
3. **Modification Name:** Various Change Order Work and Construction Incentive Change Proposal
4. **Project:** Phase IV Feather River Levee Repair Project – Segment 2
5. **Contract No.:** PH4-2007/08-02

6. **Contractor:** Teichert Construction 7. **Administered By:** GEI Consultants
Attn: Eric Stannard Attn: Don T. Kurosaka
24207 Country Road 100A 2595 Feather River Blvd.
Davis, CA 95617-1890 Marysville, CA 95901

8. Pursuant to:

- ___ Field Instruction IAW Section 004-4-5, issued to add, delete, modify or reject work.
Refer Field Directive #: _____
- XX Change Directive IAW Section 009-9-2, Issued to order corrections, alterations, additions modifications, deletions or other changes to the work
- XX Construction Incentive Change Proposal (CICP)
- ___ Compensable Unavoidable Delays as defined in Section 7-12.02, "Unavoidable Delays"

9. Description of Modification:

Teichert Construction (Teichert) has been directed to perform contract work or additional work in association with the Project. These items are not a part of the current contract and have been coordinated with Doug Handen and GEI Consultants. The description and cost of these items are as follows:

| <u>Work Description</u> | <u>Costs</u> |
|--|--------------------|
| Remove additional septic tank on Nordic property | \$2,887.50 |
| Provide temporary power to Naumes Pumps | \$12,362.47 |
| Knock over 69 orchard trees on waterside of existing Feather River Levee at station 450+00 | \$14,586.00 |
| Chip and remove 429 acres of Naumes orchard trees | \$33,783.75 |
| Removal and transplant of elderberry bushes near Plumas Canal | \$1,888.00 |
| Pump Station 3 Louver on Electrical Drawings | \$2,179.80 |
| Naumes Stained Soil Potholing | \$1,221.44 |
| Total | \$68,908.96 |

The total amount of the above Contract Modifications is \$68,908.96, with no adjustment in contract time.

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TRILIA has accepted the Teichert Construction (Teichert) proposal to reduce the quantity of Bid Item 13b-C, Backfill and levee embankment construction from Owner-furnished Primary Borrow Area with intensive blending operation (full blend) by at least 400,000 fill cubic yards and increase the quantity of Bid Item 13a-C, Backfill and levee embankment construction from Owner-furnished Primary Borrow Area with limited blending (limited blend) by at least 400,000 fill cubic yards. Cost savings to the project would be \$1.60 for every cubic yard of Primary Borrow limited blend material placed above the current Contract quantity of 438,175 fill cubic yards. Teichert is due fifty percent (50%) of the Net Capital Savings equaling \$0.80 per fill cubic yard. This item is not a part of the current contract and has been coordinated with Doug Handen and GEI Consultants. Subject to this proposal, a new pay item called PB-Limited Blend (CICP) will be used for payment purposes.

Contractor's written agreement of this Contract Change Order, Field Instruction or other written directive will constitute his final and binding agreement to the provisions of the Contract change order, Field Directive or other written directive and waiver of all claims in connection therewith, weather direct or consequential in nature, including those of any Subcontractor or Suppliers.

10. Concurrence:

The adjustment set forth hereinabove shall be final and complete adjustment for costs and/or time required as a result of the "CHANGES IN SERVICES" defined in Item 9.


OWNER'S REPRESENTATIVE DATE 6.24.09

NAME & TITLE OF SIGNER
MR. DON T. KUROSAKA
SITE MANAGER
GEI CONSULTANTS, INC.

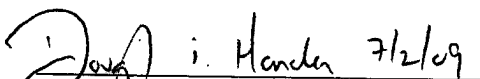


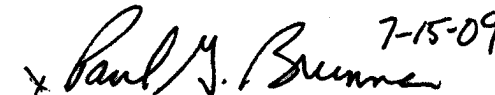

CONTRACTOR'S REPRESENTATIVE DATE 6/24/09

NAME & TITLE OF SIGNER
MR. ERIC STANNARD
TEICHERT CONSTRUCTION

11. Authorization:

Three Rivers Levee Improvement Authority (TRILA) hereby grants Authorization to Proceed with this "Contract Modification". The Contract is hereby modified and the Agreement adjusted IAW Item 8.


Mr. Doug Handen Date 7/2/09
TRILA Construction Manager


Mr. Paul Brunner Date 7-15-09
TRILA Executive Director

-----NOTHING FOLLOWS-----