CITY OF RICHMOND
CONTRACT AMENDMENT

Department: Public Works	City Project Manager: Wendy Wellbrock
City Project Manager E-mail: wendy_wellbrock@ci.richmond.ca.us	City Project Manager Phone No: (510) 307-8108
Vendor No: 8786	Contract No: 5228
Description of Services: Contractor will perform the design/build of the Harbour 8 Park Expansion	
Amendment No. 4 modifies the (check all that apply): ☐ **Term** ☒ **Payment Limit** ☒ **Service Plan** *Complete the Amendment History page if this Amendment is the 2nd or subsequent amendment.*	

The parties to this Contract Amendment do mutually agree and promise as follows:

1. Parties. The parties to this Contract Amendment are the City of Richmond, a public body corporate and politic, and the following named Contractor:

   Contractor Name: POGO Park

   Street Address: 2604 Roosevelt Ave

   City, State, Zip Code: Richmond, CA 94804

   Contact Person: Toody Maher

   Telephone: 510-215-5500 Email: toody@pogopark.org

   Business License No: 40046304 Expiration Date: 12/31/26

   A California: ☐ corporation, ☐ limited liability corporation, ☐ general partnership,
   ☐ limited partnership, ☐ individual, ☒ non-profit corporation,
   ☐ individual dba as [specify:] _____
   ☐ other [specify:] _____

2. Purpose. This Contract Amendment is being entered into to amend the following Contract between City and Contractor (list terms in effect on the date of initial Contract approval):

   City Council Approval Date/City Manager Execution Date: June 30, 2020

   Effective Date: July 1, 2020; Termination Date: June 30, 2023

   Payment Limit: 1,589,500.

☒ **[check box if applicable]** The Contract was previously amended, as described in the amendment history attached to this Contract Amendment, and the terms and conditions of any amendments shall be deemed to be a part of the Contract.

3. Contract Provisions. The parties hereto agree to continue to abide by those terms and conditions of the Contract, including any amendments thereto, which are unaffected by this Contract Amendment, and which shall remain in full force and effect.

4. Amendment Provisions. This Contract Amendment is subject to the Amendment Provisions attached hereto, which are incorporated herein by reference, and which control over any conflicting provisions of the Contract.

5. City of Richmond Business License Active Status Maintained. Pursuant to Municipal Code Section 7.04.030, the Contractor must maintain its City of Richmond business license for this Contract Amendment to be deemed to be in effect.

6. Insurance Coverage Updated and Maintained. Pursuant to the Contract, the Contractor shall provide the City with updated insurance certificates, and the Contractor shall maintain insurance coverage, for this Contract Amendment to be deemed to be in effect.

7. Authority; Counterparts; Signatures. Each of the signatories hereto represents and warrants that he or she has the authority to execute this Contract Amendment for the Party on whose behalf he or she is executing this Contract Amendment. This Contract Amendment may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. The Parties may rely on electronic or scanned signatures as originals. Delivery of an executed signature page of this Contract Amendment by electronic format (including pdf) shall be the same as delivery of an original executed signature page.

CITY OF RICHMOND,
a municipal corporation

By: _____

Title: _____

Date Signed: _____

I hereby certify that this Amendment has been approved by the City Council or executed by the City Manager.

By: _____
City Clerk

Approved as to form:

By: _____
City Attorney

POGO Park
[CONTRACTOR NAME]

(*If applicable, the Corporation Chairperson of the Board, President, or Vice-President should sign below.)

By: _____

Title: _____

Date Signed: _____

(*If applicable, the Corporation Chief Financial Officer or Assistant Treasurer, or Secretary or Assistant Secretary should sign below.)

By: _____

Title: _____

*(NOTE: Pursuant to California Corporations Code Section 313, if Contractor is a corporation or nonprofit organization, this Contract (1) should be signed by the Chairperson of the Board, President or Vice-President and the Chief Financial Officer or Assistant Treasurer, or Secretary or Assistant Secretary; (2) should have both signatures conform to designated representative groups pursuant to Corporations Code Section 313.)

AMENDMENT PROVISIONS (AMENDMENT HISTORY)

If no prior amendments, skip to next page.

The **first** Contract Amendment was approved by City Council or executed by the City Manager on 07/19/2022 for one or more of the following provisions (check those that apply):

- ☒ Increased contract payment limit by $ 5,370,000 for a payment limit not to exceed $ 6,959,500
- ☒ Term Amendment (insert new termination date): June 30, 2024
- ☒ Service Plan

The **second** Contract Amendment was approved by City Council or executed by the City Manager on 04/18/2023 for one or more of the following provisions (check those that apply):

- ☒ Increased contract payment limit by $ 2,196,225 for a payment limit not to exceed $ 9,155,725
- ☒ Term Amendment (insert new termination date): December 31, 2025
- ☒ Service Plan

The **third** Contract Amendment was approved by City Council or executed by the City Manager on 01/29/2026 for one or more of the following provisions (check those that apply):

- ☐ Increased contract payment limit by $_____ for a payment limit not to exceed $ _____
- ☒ Term Amendment (insert new termination date): 12/31/2026
- ☐ Service Plan

The **fourth** Contract Amendment was approved by City Council or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- ☐ Increased contract payment limit by $_____ for a payment limit not to exceed $ _____
- ☐ Term Amendment (insert new termination date): _____
- ☐ Service Plan

The **fifth** Contract Amendment was approved by City Council or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- ☐ Increased contract payment limit by $_____ for a payment limit not to exceed $ _____
- ☐ Term Amendment (insert new termination date): _____
- ☐ Service Plan

The **sixth** Contract Amendment was approved by City Council or executed by the City Manager on _____ for one or more of the following provisions (check those that apply):

- ☐ Increased contract payment limit by $_____ for a payment limit not to exceed $ _____
- ☐ Term Amendment (insert new termination date): _____
- ☐ Service Plan

AMENDMENT PROVISIONS (TERM, PAYMENT LIMIT AND/OR SERVICE PLAN)

Check all that apply:

TERM

☐ Paragraph 2 (Term) of the Contract is hereby amended to extend the Contract term. Paragraph 2 of the Contract is amended to read as follows:

"2. Term. The effective date of this Contract is

_____

(Insert Contract Effective Date)

and it terminates

_____.

(Insert new Contract termination date)

unless sooner terminated as provided herein."

PAYMENT LIMIT

☒ Paragraph 3 (Payment Limit) of the Contract is hereby amended to increase the payment limit by $ 3.275.000. Paragraph 3 of the Contract is amended to read as follows:

"3. Payment Limit. City's total payments to Contractor under this Contract shall not exceed $ 12,430,725 including expenses."

"The City shall not pay for services that exceed the Contract Payment Limit without the prior written approval of the City Council or executed by the City Manager if the total Contract amount does not exceed $10,000 or without the prior approval of the City Council if the total Contract amount is over $10,000."

SERVICE PLAN

☒ The Service Plan (Exhibit A) of the Contract is hereby amended to include the following tasks and/or services:

(Insert description of additional tasks/services. Use additional pages if necessary.)

Please see Exhibit A.

EXHIBIT A

HARBOUR-8 PARK

UPDATED $3 MILLION COST TO COMPLETE BUDGET
01/09/2026

HARBOUR HALL BUDGET	Original Budget to City (Sept. 2025)	Unreimbursed Out of Pocket Costs Paid by Pogo Park (Jan. 2026)	Approved Change Orders & Committed Contracts (Jan. 2026)	Additional Costs to Complete Project (Jan. 2026)	Total Cost to Complete Project Budget (Jan. 2026)
General Conditions | Soft Costs	$140,000			$10,000	$10,000
Site Prep. & Excavation	$235,000		$220,414		$220,414
Masonry	$1,000				$0
Framing	$1,000				$0
Roofing	$6,000				$0
HVAC	$123,000	$76,932			$76,932
Rough Electric	$29,000				$0
Exterior Trim	$98,000				$0
Stucco	$1,000				$0
Wall/Ceiling Finish	$5,000				$0
Doors	$27,000				$0
Interior Trim	$46,000				$0
Cabinetry	$50,000				$0
Tile & Glass	$1,000				$0
Specialties	$51,000	$31,615			$31,615
Special Construction	$16,000	$9,875			$9,875
Plumbing Finish	$6,000				$0
Electrical Finish	$60,000	$58,364			$58,364
Appliances	$40,000				$0
Painting	$200,000	$59,257			$59,257
Flooring	$82,000	$68,871			$68,871
Builder Punchlist	$16,000				$0
Trash Removal	$22,000				$0
Equipment | Furnishings	$67,000				$0
Concrete Patio	$90,000				$0
Builder Overhead & Mgmt.	$57,000	$248,108	$2,563		$250,671
TOTAL	**$1,470,000**	**$553,022**	**$222,977**	**$10,000**	**$785,999**

HARBOUR–8 PARK BUDGET	Original Budget to City (Sept. 2025)	Unreimbursed Out of Pocket Costs Paid by Pogo Park (Jan. 2026)	Approved Change Order & Committed Contracts (Jan. 2026)	Additional Costs to Complete Project (Jan. 2026)	Total Cost to Complete Project Budget (Jan. 2026)
Project Management & Overhead		$32,325	$4,550	$45,000	$81,875
Engineering Design			$13,817	$2,500	$16,317
Grading & Undergrounds	$412,000	$254,258	$10,080		$264,338
Public Restroom	$232,000	$85,834	$36,205		$122,039
Entry Gateways	$170,000	$110,694		$18,226	$128,920
Metal Perimeter Fence	$98,000	$12,528		$51,099	$63,627
Lighting & Electrical	$70,000	$137,704	$10,024	$150,710	$298,438
Concrete Edge Transitions	$120,000		$13,750	$16,825	$30,575
Retaining Walls	$100,000	$80,351	$8,927		$89,278
Pavers		$136,912	$136,124		$273,036
Asphalt ADA Paving			$64,070	$18,695	$82,765
Bioretention Area		$28,350			$28,350
Children's Play Area	$160,000	$154,453		$124,380	$278,833
Zip Line Area	$61,000			$134,853	$134,853
Amentiies				$23,931	$23,931
Landscaping	$60,000			$74,955	$74,955
BBQ | Picnic Area	$40,000	$43,876	$15,000	$0	$58,876
Public Art Mural	$7,000			$15,000	$15,000
Harbour Hall Patio		$65,641	$22,000		$87,641
Bond Requirements		$7,164			$7,164
Concrete Work on 8th St. Sidewalk and Curb		$30,691			$30,691
Class 2 Dirt Haul Off and Disposal				$22,500	$22,500
TOTAL	**$1,530,000**	**$1,180,781**	**$334,547**	**$698,673**	**$2,214,001**

TOTAL BUDGET & CAPITAL REQUEST	**$3,000,000**	**$1,733,803**	**$557,524**	**$708,673**	**$3,000,000**

EXHIBIT A

LEED/GREENWAY & HARBOUR HALL ADA

01-25-2026

Funding Request - LEED & Greenway ADA Improvements	$275,000

LEED / GREENWAY / HH ADA IMPROVEMENTS	Total Paid	Remaining Committed Costs	Paid By City of Richmond	Total LEED Budget	Description
Advanced Pipeline Services		$64,070		$64,070	Greenway ADA improvements (slurry seal & grinding)
Advanced Pipeline Services	$27,400	$17,373		$44,773	East ($17,373: CO#30) & west ($27,400; CO#16) ADA paths
AR Green Consulting	$27,880		-$21,935	$5,945	LEED consultancy services
Green Business Certification, Inc.	$3,775			$3,775	LEED registration, certification & review
Grid Alternatives	$66,901			$66,901	Solar power system installation
Goring & Straja Architects, PC	$24,657			$24,657	LEED application design & submittals
Lawrence Construction, Inc.	$13,140			$13,140	FSC certified lumber
Pogo Park	$6,000			$6,000	LEED application submittals
Redcar Analytics	$12,368	$5,632	-$2,000	$16,000	LEED Building enhanced commissioning
Scientific Art Studio, Inc.	$5,000			$5,000	LEED application submittals
SWPPP Solutions, Inc.	$2,500			$2,500	SWPPP plan design
W.R. Forde Associates, Inc.	$4,916			$4,916	Electrical installation for solar power system
Contingency				$17,323	
TOTAL REMAINING COSTS	**$194,537**	**$87,075**	**-$23,935**	**$275,000**	
LEED/GREENWAY/ADA IMPROVEMENTS	**$194,537**	**$87,075**	**-$23,935**	**$275,000**	