

Anaheim Union High School District
Facilities and Planning
501 Crescent Way ~ Post Office Box 3520
Anaheim ~ California 92803~3520
Tel: 714-817-8236 Fax: 714-817-0598

EXHIBIT H

Project: Katella HS Modernization
Contract Number: 2007-18

Purchase Order Number: 864A0002
DSA Number: 04-105126 - 30H1

CHANGE ORDER

TO: Harbor Construction, Inc
15550 Rockfield Blvd. Bldg. B-100
Irvine, CA 92618

Change Order No. 00016
5/8/2008

The following modifications have been made to your basic contract for the reasons listed below:

Item	Responsibility Code	Days	Change Amount
WO 00043	Differing Conditions	0	\$18,250.00
Abatement 2nd flr Restroom Bldg A			

During the course of construction in Building A, it was determined that the second floor chase restroom walls contained asbestos containing materials which required abatement procedure.

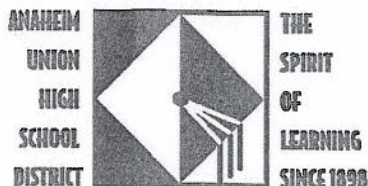
WO 00074	Differing Conditions	0	\$17,893.00
Bldg A 2nd Flr Abtmt over W&E RR's			

During the course of construction, it was discovered that the restroom ceilings at second floor of Building "A" were contaminated with asbestos which necessitated additional abatement.

The District's Representative issued the following Work Orders (WO); WO No. 43 dated May 7, 2008; and WO No. 74 dated May 7, 2008 which total to the amount of \$36,143.00. The Contractor agreed to the two (2) aforementioned Work Orders and signed them.

Change Order No. 16 was released to the Contractor on May 8, 2008 for signature. However, the Contractor has refused to sign any Change Order in an attempt to reserve additional rights not allowed by the Contract documents.

In accordance with General Conditions Article 48, the District is hereby unilaterally issuing Change Order No. 16, dated 05/07/08.



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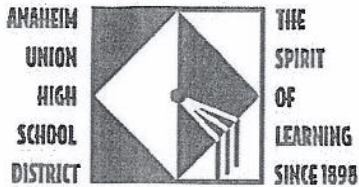
Change Order No. 00016
5/8/2008

Contractor agrees to furnish all labor and materials and perform all of the above described work indicated in each item attached in compliance with the applicable sections of the Contract Documents. The amount of the charges under the Change Order is limited to the charges allowed under article 7 of the General Conditions. The adjustment in the contract sum, if any, and the adjustment in the contract time, if any, set out in the Change Order shall constitute the entire compensation and/or adjustment in the contract time and contract sum due to the Contractor arising out of the change in the work covered by this Change Order, unless otherwise provided in the Change Order. It is understood that this Change Order shall be effective when approved by the Governing Board of the District.

The Original Contract Sum was	\$10,585,000.00
Net Change by Previously Authorized Requests and Changes	\$366,587.00
The Contract Sum Prior to This Change Order was	\$10,951,587.00
The Contract Sum Will be Increased	\$36,143.00
The New Contract Sum Including This Change Order	\$10,987,730.00
The Contract Time Will Not Be Changed	0 days
The Date of Substantial Completion as of this Change Order Therefore is ...	11/5/2008
Cumulative Percentage of Original Contract	3.80%

	Signature	Date
AUHSD Timothy Holcomb		
Contractor		
Architect	<i>David Barron</i>	5.7.08
Project Manager	<i>[Signature]</i>	5-7-08
Inspector of Record	<i>Steve Arriaga</i>	5-9-08

It is further understood and agreed that this adjustment constitutes compensation in full for all costs and markup directly or indirectly attributable to this change, or for all delays related thereto, including but not limited to all extended overhead and loss of productivity costs and for performance for this change within the time frame stated and Contractor expressly waives any claims for any additional compensations, damages or time extensions, in connection with the above referenced changes. We the undersigned Contractor have given careful consideration to the change proposed and hereby agree if this proposal is approved that we will accept as full payment the price shown above.



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WORK ORDER

TO: Harbor Construction, Inc
15550 Rockfield Blvd. Bldg. B-100
Irvine, CA 92618

Work Order No. 00043
5/7/2008

Contractor is directed to make the following changes in the Contract. All work shall be performed subject to the conditions as contained in the Contract. This Work Order shall constitute a full and final settlement of any and all claims the Contractor has, arising out of the revision set forth herein, including claims for impact and delay costs, excluding those identified herein.

Reference: **DESCRIPTION OF PROPOSAL**

During the course of construction in Building A, it was determined that the second floor chase restroom walls contained asbestos containing materials which required abatement procedure.

Item	Description	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Contractor shall provide labor and material necessary to perform the fireproofing abatement at Building A 2nd floor restrooms.	1.000		\$18,250.00	0.00%	\$0.00	\$18,250.00

Proposal Details:

The Contractor submitted Cost Proposal No. 00039-R1 dated 04/03/08 in the amount of \$39,200.00. The District reviewed the cost proposal and determined that it was not in compliance with the requirements of General Conditions, Article 48. Therefore, the District formally rejected the cost proposal on 04/19/08.

During the cost proposal review meeting with the Contractor and Environmental Consultant on 03/14/08, it was determined that the restroom ceiling and fireproofing abatement at Building A second floor restrooms was a required scope of work which makes the cost proposal valid. The Contractor agreed with the "Full & Final" amount of \$18,250.00. Consequently, the District released Work Order No. 00043 dated 05/05/08 in the amount of \$18,250.00 to the Contractor for signature.

It is understood that this Work Order will be effective when signed by the District Representative. Contractor agrees to furnish all labor and materials and perform all of the above described work in accordance with the above terms in compliance with the applicable sections of the Contract Documents. The amount of the charges (if applicable) under the Work Order is limited to \$100,000. The adjustment in the contract sum, if any, and the adjustment in the contract time, if any, set out in this Work Order shall constitute the entire compensation and/or adjustment in the contract time and contract sum due to the Contractor arising out of the change in the work covered by this Work Order, unless otherwise provided in the Work Order.

COST:

- ☒ Lump Sum \$18,250.00 ☐ Not to Exceed _____
- ☐ Time and Materials. Submit daily time and material equipment documentation on TIME AND MATERIAL DAILY EXTRA WORK REPORT forms.
- ☐ Submit quotation promptly for the work described above. The cost of the work will be determined from the CHANGE ORDER PROPOSAL subject to review, and will be resolved to be mutually agreeable.
- ☐ In accordance with contract unit prices.

TIME:

- ☒ No Change ☐ Impact unknown at this time ☐ Impact to contract completion date is estimated at 0 days
- ☐ Will not change completion date but is expected to impact durations of specific CPM activities.

Activity numbers: _____ Days 0

The Contractor will create activities in the Contractor's Detailed Construction Schedule immediately following approval of this Work Order showing the impact of this work. These activities will be reviewed and approved in accordance with the Contractor's weekly and monthly schedule.

	Signature	Date
AUHS Timothy Holcomb		5/8/08
Contractor		5-8-2008
Architect		5.8.08
Project Manager		5/8/08
Inspector of Record		5-8-08

Project: Katella HS Modernization
Contract Number: 2007-18Purchase Order Number: 864A0002
DSA Number: 04-105126 - 30H1**WORK ORDER**TO: Harbor Construction, Inc
15550 Rockfield Blvd. Bldg. B-100

Irvine, CA 92618Work Order No. 00074
5/7/2008

Contractor is directed to make the following changes in the Contract. All work shall be performed subject to the conditions as contained in the Contract. This Work Order shall constitute a full and final settlement of any and all claims the Contractor has, arising out of the revision set forth herein, including claims for impact and delay costs, excluding those identified herein.

Reference:**DESCRIPTION OF PROPOSAL**

During the course of construction, it was discovered that the restroom ceilings at second floor of Building "A" were contaminated with asbestos which necessitated additional abatement.

Item	Description	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Contractor shall provide labor and material necessary to perform the work as described in RFP No. 00015 dated 12/10/07.	1.000		\$17,893.00	0.00%	\$0.00	\$17,893.00

Proposal Details:

Work Order No. 00014 dated 11/19/07 in the amount of \$764.00 was created and released for signature to the Contractor on 11/26/07. The Contractor submitted the Cost Proposal No. 00039 dated 11/28/07 in the amount of \$18,622.00. The District reviewed the Cost Proposal No. 00039 and determined that it was not in compliance with the requirements of General Conditions, Article 48, due to lack of supporting documentation and reservation of rights. Therefore, the District formally rejected the cost proposal on 12/10/07. The District issued RFP No. 00015 dated 12/10/07 to the Contractor on 12/10/07. A Cost Proposal has not been submitted to the District by the Contractor in accordance to the General Conditions, Article 48. Therefore, Work Order No. 00014 dated 11/19/07 in the amount of \$764.00 was unilaterally issued pursuant to General Conditions Article 48 on 01/04/08. The Contractor submitted Cost Proposal No. 00039-R1 dated 04/03/08 in the amount of \$39,200.00 which included a cost for the abatement of the ceilings as well as a cost for the abatement of chase walls in restrooms at second floor of Building "A". The District reviewed the Cost Proposal No. 00039-R1, approved the cost for the abatement of the ceilings in the amount of \$17,893.00, and addressed the cost associated with the abatement of chase walls in Work Order No. 00043 dated 05/07/08. The District has determined that Cost Proposal No. 00039-R1 was not in compliance with the requirements of General Conditions, Article 48, due to lack of supporting documentation and reservation of rights. Therefore, the District formally rejected the cost proposal on 04/19/08. During the cost proposal review meeting with the Contractor on 05/08/08, the District and the Contractor agreed on the "Full & Final" amount of \$17,893.00. Consequently, the District releases Work Order No. 00074 dated 05/07/08 in the amount of \$17,893.00 to the Contractor for signature.

It is understood that this Work Order will be effective when signed by the District Representative. Contractor agrees to furnish all labor and materials and perform all of the above described work in accordance with the above terms in compliance with the applicable sections of the Contract Documents. The amount of the charges (if applicable) under the Work Order is limited to \$100,000. The adjustment in the contract sum, if any, and the adjustment in the contract time, if any, set out in this Work Order shall constitute the entire compensation and/or adjustment in the contract time and contract sum due to the Contractor arising out of the change in the work covered by this Work Order, unless otherwise provided in the Work Order.

COST:

- ☒ Lump Sum \$17,893.00 ☐ Not to Exceed _____
- ☐ Time and Materials. Submit daily time and material equipment documentation on TIME AND MATERIAL DAILY EXTRA WORK REPORT forms.
- ☐ Submit quotation promptly for the work described above. The cost of the work will be determined from the CHANGE ORDER PROPOSAL subject to review, and will be resolved to be mutually agreeable.
- ☐ In accordance with contract unit prices.

TIME:

- ☒ No Change ☐ Impact unknown at this time ☐ Impact to contract completion date is estimated at 0 days
- ☐ Will not change completion date but is expected to impact durations of specific CPM activities.

Activity numbers: _____ Days 0

The Contractor will create activities in the Contractor's Detailed Construction Schedule immediately following approval of this Work Order showing the impact of this work. These activities will be reviewed and approved in accordance with the Contractor's weekly and monthly schedule.



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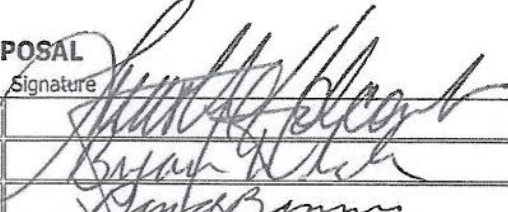
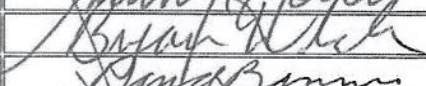
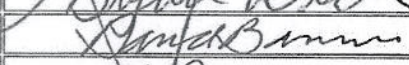
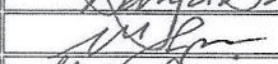
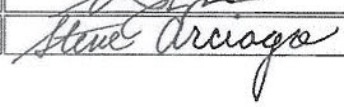
Work Order No. 00074
5/7/2008

Irvine, CA 92618

Contractor is directed to make the following changes in the Contract. All work shall be performed subject to the conditions as contained in the Contract. This Work Order shall constitute a full and final settlement of any and all claims the Contractor has, arising out of the revision set forth herein, including claims for impact and delay costs, excluding those identified herein.

Reference:

DESCRIPTION OF PROPOSAL

	Signature	Date
AUHSD Timothy Holcomb		5/8/08
Contractor		5-8-2008
Architect		5.8.08
Project Manager		5/8/08
Inspector of Record		5-8-08

