

**FIRST AMENDMENT TO
PROJECT STABILIZATION AGREEMENT**

for the

SACRAMENTO CITY UNIFIED SCHOOL DISTRICT

Project: _____
Bid Number _____

PREAMBLE

This First Amendment to Project Stabilization Agreement ("Amendment") is made and entered into on this date _____, by and between _____ ("Project Manager") and _____ ("Coordinator") together with other contractors and/or subcontractors who shall become signatory to the Project Stabilization Agreement ("Agreement") by signing the "Agreement To Be Bound" (Attachment A), ("Contractor(s)"), the Sacramento-Sierra Building & Construction Trades Council and the Local Unions signatory hereto, all in their behalf and in behalf of the various Local Unions involved ("Union(s)").

RECITALS

WHEREAS, the Sacramento City Unified School District ("District") has adopted Resolution No. _____ (Resolution Amending and Extending Project Stabilization Agreement); and

WHEREAS, the Amendment having been concurred in by the parties; and

WHEREAS, the Amendment amends and sets forth the revisions to the Agreement.

AMENDMENTS TO AGREEMENT

WHEREFORE, the parties hereto, amend the Agreement as follows:

1. Amendment to section 2.4. Section 2.4 is amended by adding commissioning language as follows: After installation by the Contractor(s) and upon acceptance by the District, it is understood the District reserves the right to perform commissioning, start-up, operation, repair, maintenance or revision of equipment or systems with persons of the District's choice. If required, the service representative may make a

final check to protect the terms of a manufacturer's guarantee or warranty prior to start-up of a piece of equipment.

2. Amendment to section 5.5.1. Section 5.5.1 is amended by adding the following: The permanent Arbitrator may be substituted from time to time as agreed to by the District and the Sacramento-Sierra Building and Construction Trades Council.
3. Amendment to section 12.3. Section 12.3 is amended by adding the following: Nothing in section 12.3 is intended to disrupt or interfere with Project progress.
4. Deletion of sections 16.6 and 16.7. In order to allow additional signatory unions, sections 16.6 and 16.7, addressing local collective bargaining agreements, are hereby deleted.
5. Addition of Article 28. Article 28 is added to the Agreement as follows:

ARTICLE 28

ANNUAL REVIEW

The District and the Sacramento-Sierra Building and Construction Trades Council shall conduct an annual review by evaluating performance of all aspects of the terms pursuant to the Agreement and the Amendment. District staff shall report to the Board regarding the results of the annual review.

6. Extension of Term of Agreement. Provided that the Amendment is approved and executed by the parties, the term of the Agreement shall be extended for a period of four years commencing September 1, 2009 per the Resolution Amending and Extending Project Stabilization Agreement.
7. Terms of the Agreement which are not Amended. All other terms of the Agreement, including all attachments, except as amended herein, shall remain the same. The parties may mutually agree in writing to amend, extend, or terminate the Agreement, including the terms of this Amendment, and attachments A and B to the Agreement, at any time. All signatory parties to the Agreement, including any additional signatory unions, shall agree, and shall execute, this Amendment as a condition to the Board's approval of the Amendment and extension of the term pursuant to the Resolution Amending and Extending Project Stabilization Agreement.

EXECUTION

WHEREFORE, the parties, agree to be bound by and to execute this Amendment.

SIGNATURES

[Name of Project Manager]

[Name of Coordinator]

Signatory Unions:

Asbestos Workers Local #16

Bricklayers Local #3

Carpenters 46 Northern California
Counties Conference Board

District Council of Plasterers and
Cement Masons of Northern California

Electricians Local #340

Plasterers Local #300

Sacramento-Sierra Building
and Construction Trades Council

Matt Kelly, Chief Executive Officer

Iron Workers Local #118

Northern California District Council
of Laborers

Millwrights Local #102

Operating Engineers Local #3

District Council #16 International
Union of Painters and Allied Trades

Pile Drivers Local #34

Elevator Constructions Local #8

Sheet Metal Workers Local #162

Roofers Local #81

Sprinkler Fitters Local #669

Teamsters Local #150

United Association Local #447

Boilermakers Local #549

Lathers Local #109

Laborers Local #185

District Council 16 Painters
& Allied Trades

