

**FIRST AMENDMENT TO
BOARD OF STATE AND COMMUNITY CORRECTIONS
JAIL CONSTRUCTION AGREEMENT
FOR SAN LUIS OBISPO COUNTY**

This First Amendment to Board of State and Community Corrections Jail Construction Agreement (“**First Amendment**”) is entered into as of _____, 2015 (“**First Amendment Effective Date**”), by and between the Board of State and Community Corrections (“**BSCC**”), formally entitled the Corrections Standards Authority (“**CSA**”) an entity of the state government of the State of California (“**State**”), and San Luis Obispo County (“**Participating County**”). BSCC and Participating County shall be referred to collectively herein as “**Parties**,” and individually as a “**Party**.”

RECITALS

WHEREAS, the Parties entered into that certain Board of State and Community Corrections Jail Construction Agreement dated April 10, 2012 (“**Agreement**”), formally entitled the Corrections Standards Authority (“**CSA**”).

WHEREAS, the Parties desire to amend the Agreement as set forth herein.

WHEREAS, Article 2 of the Agreement provides that any amendment to the Agreement shall be binding on (i) the State only if signed by the Agency Representative, and (ii) the Participating County only if signed or certified in a form reasonably acceptable to BSCC by the Participating County Construction Administrator.

NOW, THEREFORE, by the signatures of their authorized representatives below, the Parties agree as follows:

SECTION 1. AMENDMENT TO AGREEMENT

Exhibit B, Section 2 is hereby amended to read as follows:

KEY EVENTS	START DATES	COMPLETION DATES
Schematic Design with Operational Program Statement	12/05/2006	04/13/2007
Design Development with Staffing Plan	06/11/2007	12/21/2007
Staffing/Operating Cost Analysis	12/15/2011	01/25/2012
Construction Documents	08/17/2011	07/26/2012
Construction Bids	09/09/2013	01/31/2014
Notice to Proceed	02/01/2014	02/24/2014
Construction	02/24/2014	01/15/2017
Occupancy	01/16/2017	02/15/2017

SECTION 2. AUTHORITY

Each Party represents to the other Party that this Second Amendment has been executed in compliance with the requirements of Article 2 of the Agreement.

SECTION 3. GENERAL PROVISIONS

Capitalized terms used but not defined in this Second Amendment shall have the meanings assigned to them in the Agreement. In the event of a conflict between any provision of the Agreement and a provision of this Second Amendment, the provision of this Second Amendment shall control. Except as otherwise amended by this Second Amendment, all of the terms and conditions of the Agreement shall remain in full force and effect. This Second Amendment may be executed in counterparts, each of which shall be deemed to be an original, and all of such counterparts shall together constitute one executed original instrument.

IN WITNESS WHEREOF, the Parties have executed this Second Amendment, as of the Second Amendment Effective Date.

BOARD OF STATE AND COMMUNITY CORRECTIONS

By: _____
Signature of Executive Director or Designee

Name and Title: Kathleen T. Howard, Executive Director

Date:

“PARTICIPATING COUNTY”

County of San Luis Obispo:

APPROVED AS TO FORM
AND LEGAL EFFECT
Rita L. Neal, County Counsel
By: Rita L. Neal 11/16/2015
Deputy County Counsel

By: _____
Signature of Authorized County Representative

Name and Title:

Date: