


| | | | | | | | |
|---|--|--|--|---|--|--------------------------------|--|
| AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT | | | | 1. CONTRACT ID CODE J | | PAGE OF PAGES 1 5 | |
| 2. AMENDMENT/MODIFICATION NO. | | 3. EFFECTIVE DATE 19-Apr-2016 | | 4. REQUISITION/PURCHASE REQ. NO. W31XNJ60215328 | | 5. PROJECT NO. (If applicable) | |
| 6. ISSUED BY ENDIST MOBILE CONTRACTING DIVISION 109 ST JOSEPH ST MOBILE AL 36602 | | 7. ADMINISTERED BY (If other than item 6) See Item 6 | | CODE | | | |
| 8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code) DUTRA GROUP, THE DIANA BRITTING 2350 KERNER BLVD STE 200 SAN RAFAEL CA 94901-5595 | | | | 9A. AMENDMENT OF SOLICITATION NO. | | | |
| | | | | 9B. DATED (SEE ITEM 11) | | | |
| | | | | X 10A. MOD. OF CONTRACT/ORDER NO. W91278-16-D-0041-0001 | | | |
| | | | | X 10B. DATED (SEE ITEM 13) 29-Jan-2016 | | | |
| CODE 3GSX7 | | FACILITY CODE | | | | | |
| 11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS | | | | | | | |
| <input type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified. | | | | | | | |
| 12. ACCOUNTING AND APPROPRIATION DATA (If required) See Schedule | | | | | | | |
| 13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14. | | | | | | | |
| A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A. | | | | | | | |
| B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B). | | | | | | | |
| X C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: FAR 52.243-4 Changes | | | | | | | |
| D. OTHER (Specify type of modification and authority) | | | | | | | |
| E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input checked="" type="checkbox"/> is required to sign this document and return <u>1</u> copies to the issuing office. | | | | | | | |
| 14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) Modification Control Number: k5ct9njf161317 This modification accepts the contractors proposal dated April 13, 2016 for additional work in the amount of \$4,000,681.50 with a delivery date of October 31, 2016 In consideration of this modification agreed to herein as a complete equitable adjustment for the above changes, the contractor hereby releases the government from any and all liability under this modification for further equitable adjustments attributable to such factors or circumstances giving rise to the proposal for adjustment. | | | | | | | |
| Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect. | | | | | | | |
| 15A. NAME AND TITLE OF SIGNER (Type or print) Harry K. Stewart, Senior Vice President | | | | 16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print) | | | |
| | | | | TEL: _____ EMAIL: _____ | | | |
| 15B. CONTRACTOR/OFFEROR  (Signature of person authorized to sign) | | 15C. DATE SIGNED 19 April 2016 | | 16B. UNITED STATES OF AMERICA BY _____ (Signature of Contracting Officer) | | 16C. DATE SIGNED | |

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

SECTION DD 1155 - PURCHASE ORDER/DELIVERY ORDERS

SUMMARY OF CHANGES

SECTION DD 1155 - PURCHASE ORDER/DELIVERY ORDERS

The total cost of this contract was increased by \$4,000,681.50 from \$3,999,116.00 to \$7,999,797.50.

CLIN 0002 is added as follows:

| ITEM NO | SUPPLIES/SERVICES | MAX QUANTITY | UNIT | UNIT PRICE | MAX AMOUNT |
|---------|---|-----------------|------|------------|----------------|
| 0002 | Dredging Bay Hopper Mobile FFP Rental of Hopper Dredge With Attendant Plant and Operators for Maintenance Dredging of Mobile Harbor Channel, Mobile, Alabama | 4,000,000 | Job | \$1.00 | \$4,000,000.00 |

NOTES:

Period of Performance: In accordance with Specifications associated with this task order, work must be accomplished by 31 October 2016.

Davis Bacon Act, General Decision No. AL160008 dated 01/08/2016 AL8.

Designation of Contracting Officer's Representative: See attached letter.

Insurance is required in accordance with specifications and base contract (see clause 52.228-5, Insurance - Work on a Government Installation Jan 1997). Specifications prohibit commencement of work until satisfactory evidence of insurance has been furnished.

FOB: Destination

PURCHASE REQUEST NUMBER: W31XNJ60215328

| | |
|---------|----------------|
| MAX | \$4,000,000.00 |
| NET AMT | |

| | |
|-------------------------|----------------|
| ACRN AC | \$4,000,000.00 |
| CIN: W31XNJ602153280002 | |

CLIN 0003 is added as follows:

| ITEM NO | SUPPLIES/SERVICES | MAX QUANTITY | UNIT | UNIT PRICE | MAX AMOUNT |
|---------|-------------------|-----------------|------|------------|------------|
| 0003 | | 681.50 | Job | \$1.00 | \$681.50 |

Dredging Bay Hopper Mobile
FFP
Rental of Hopper Dredge With Attendant Plant and Operators for Maintenance
Dredging of Mobile Harbor Channel, Mobile, Alabama

NOTES:

Period of Performance: In accordance with Specifications associated with this task order, work must be accomplished by 31 October 2016.

Davis Bacon Act, General Decision No. AL160008 dated 01/08/2016 AL8.

Designation of Contracting Officer's Representative: See attached letter.

Insurance is required in accordance with specifications and base contract (see clause 52.228-5, Insurance - Work on a Government Installation Jan 1997). Specifications prohibit commencement of work until satisfactory evidence of insurance has been furnished.

FOB: Destination

PURCHASE REQUEST NUMBER: W31XNJ60215328

| | |
|---------|----------|
| MAX | \$681.50 |
| NET AMT | |

| | |
|-------------------------|----------|
| ACRN AB | \$681.50 |
| CIN: W31XNJ602153280003 | |

The following Acceptance/Inspection Schedule was added for CLIN 0002:

| | | | |
|------------|------------|-----------|------------|
| INSPECT AT | INSPECT BY | ACCEPT AT | ACCEPT BY |
| N/A | N/A | N/A | Government |

The following Acceptance/Inspection Schedule was added for CLIN 0003:

| | | | |
|------------|------------|-----------|------------|
| INSPECT AT | INSPECT BY | ACCEPT AT | ACCEPT BY |
| N/A | N/A | N/A | Government |

The following Delivery Schedule item has been added to CLIN 0002:

| | | | |
|---------------|----------|-----------------|-----|
| DELIVERY DATE | QUANTITY | SHIP TO ADDRESS | UIC |
|---------------|----------|-----------------|-----|

| | | | |
|-------------|-----------|--|--------|
| 31-OCT-2016 | 4,000,000 | IRVINGTON SITE OFFICE ASHLEY KLEINSCHRODT 7861 13TH STREET IRVINGTON, AL 36544-2899 251-694-3726 FOB: Destination | 964151 |
|-------------|-----------|--|--------|

The following Delivery Schedule item has been added to CLIN 0003:

| DELIVERY DATE | QUANTITY | SHIP TO ADDRESS | UIC |
|---------------|----------|--|--------|
| 31-OCT-2016 | 681.50 | IRVINGTON SITE OFFICE ASHLEY KLEINSCHRODT 7861 13TH STREET IRVINGTON, AL 36544-2899 251-694-3726 FOB: Destination | 964151 |

Accounting and Appropriation

Summary for the Payment Office

As a result of this modification, the total funded amount for this document was increased by \$4,000,681.50 from \$3,999,116.00 to \$7,999,797.50.

CLIN 0002:

Funding on CLIN 0002 is initiated as follows:

ACRN: AC

CIN: W31XNJ602153280002

Acctng Data: 096 NA X 2016 3123 000 0000 CCS: 11E K5 2016 08 2446 011670 96015 2520 536K03 NA 536K03

Increase: \$4,000,000.00

Total: \$4,000,000.00

CLIN 0003:

Funding on CLIN 0003 is initiated as follows:

ACRN: AB

CIN: W31XNJ602153280003

Acctng Data: 096 NA X 2016 3123 000 0000 CCS: 111 K5 2016 08 2446 011670 96015 2520 53J4L6 NA 53J4L6

Increase: \$681.50

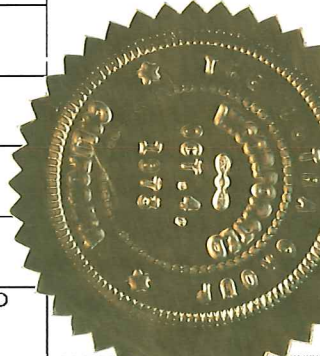
Total: \$681.50

(End of Summary of Changes)

Bond #070020179


| | | | |
|--|---|--|--------------------|
| CONSENT OF SURETY AND INCREASE OF PENALTY | 1. CONTRACT NUMBER W91278-16-D-0041-0001 | 2. MODIFICATION NUMBER k5ct9njf161317 | 3. DATE 4-19-16 |
|--|---|--|--------------------|

4. The surety (co-sureties) consents (consent) to the foregoing contract modification and agrees (agree) that its (their) bond or bonds shall apply and extend to the contract as modified or amended. The principal and surety (co-sureties) further agree that on or after the execution of this consent, the penalty of the performance bond or bonds is increased by \$4,000,681.50 dollars (\$4,000,681.50) and the penalty of the payment bond or bonds is increased by \$4,000,681.50 dollars (\$4,000,681.50). However, the increase of the liability of each co-surety resulting from this consent shall not exceed the sums shown below.

| | | | |
|-------------------------------------|--|---|--|
| 5. NAME OF SURETY | | 6. INCREASE OF LIABILITY LIMIT UNDER PERFORMANCE BOND | 7. INCREASE IN LIABILITY LIMIT UNDER PAYMENT BOND |
| a. Liberty Mutual Insurance Company | | \$ \$4,000,681.50 | \$ \$4,000,681.50 |
| b. | | \$ | \$ |
| c. | | \$ | \$ |
| 8. INDIVIDUAL PRINCIPAL | a. BUSINESS ADDRESS | b. SIGNATURE |  |
| | | c. TYPED NAME AND TITLE | |
| | | d. DATE OF THIS CONSENT | |
| 9. CORPORATE PRINCIPAL | b. CORPORATE NAME AND BUSINESS ADDRESS The Dutra Group 2350 Kerner Blvd Ste 200 San Rafael, CA 94901 | c. PERSON EXECUTING CONSENT(SIGNATURE) | |
| | | c. TYPED NAME AND TITLE Harry K. Stewart Sr. Vice President | |
| | | d. DATE THIS CONSENT EXECUTED April 19, 2016 | |
| | | | |

- The principal or authorized representative shall execute this Consent of Surety and Increase of Penalty with the modification to which it pertains. If the representative (e.g., attorney-in-fact) that signs the consent is not a member of the partnership, or joint venture, or an officer of the corporation involved, a Power-of-Attorney or a Certificate of corporate Principal must accompany the consent.

10. CORPORATE / INDIVIDUAL SURETY (CO-SURETIES)

| | | | |
|----|--|--|--------------|
| A. | a. CORPORATE/INDIVIDUAL SURETY'S NAME AND ADDRESS Liberty Mutual Insurance Company 175 Berkeley Street Boston, MA 02116 | b. PERSON EXECUTING CONSENT (SIGNATURE)  | (AFFIX SEAL) |
| | | c. TYPED NAME AND TITLE Jana B. Pilgard, Attorney in Fact | |
| | | d. DATE THIS CONSENT EXECUTED 4-19-16 | |
| | | | |
| B. | a. CORPORATE/INDIVIDUAL SURETY'S NAME AND ADDRESS | b. PERSON EXECUTING CONSENT (SIGNATURE) | (AFFIX SEAL) |
| | | c. TYPED NAME AND TITLE | |
| | | d. DATE THIS CONSENT EXECUTED | |
| | | | |
| C. | a. CORPORATE/INDIVIDUAL SURETY'S NAME AND ADDRESS | b. PERSON EXECUTING CONSENT (SIGNATURE) | (AFFIX SEAL) |
| | | c. TYPED NAME AND TITLE | |
| | | d. DATE THIS CONSENT EXECUTED | |
| | | | |

ADD SIMILAR SIGNATURE BLOCKS ON THE BACK OF THIS FORM IF NECESSARY FOR ADDITIONAL CO-SURETIES.

PREVIOUS EDITIONS NOT USABLE
AUTHORIZED FOR LOCAL REPRODUCTION

STANDARD FORM 1415 (Rev. 7-93)
Prescribed by GSA - FAR (48CFR) 53.228(1)

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7184386

American Fire and Casualty Company
The Ohio Casualty Insurance Company

Liberty Mutual Insurance Company
West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Dona Lisa Buschmann; J. Buschmann; Jana B. Pilgard; Kathy Rangel; Robert D. Laux

all of the city of Roseville, state of CA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 19th day of November, 2015.



American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 19th day of November, 2015, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 19th day of April, 2016.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary