

Change Order No. 1 to Master Service Agreement

Mitigation Solutions, LLC (“MSL”) and Santa Maria Valley Water Conservation District. (“SMVWCD”), together with MSL hereinafter referred to as the (“Parties”) enter into this Change Order No. 1 to that Mutual Master Services Subcontract Agreement executed on January 19, 2023 (the “MSA”), acknowledging, and agreeing to the following:

1. MSL and the Santa Maria Valley Water Conservation District (the “District”) entered into the Twitchell Dam and Reservoir Mitigation Contract dated January 19, 2023 (the “Mitigation Contract”). The Mitigation Contract is referred to in the MSA as the “Prime Contract” and encompasses mitigation work to be performed by MSL at the Twitchell Dam and Reservoir (the “Project”).
2. As of the date of this Change Order, the Parties have entered into two Task Orders for the MSA, both of which are were fully executed as of February 9, 2023 (the “Task Orders”).
3. The Parties agree that the terms of this Change Order shall apply to the two existing Task Orders and any future Task Order to be executed by these Parties for work contemplated by the MSA.
4. MSL is required to provide certain services for the District’s benefit pursuant to the Mitigation Contract, including without limitation, management of the Mitigation Activities (as that term is defined in the Mitigation Contract) at the Project.
5. In exchange for MSL and BSC’s adequate performance of its obligations, SMVWCD shall pay MSL in accordance with the terms of the respective task order(s) and/or the MSA.
6. SMVWCD shall cooperate in facilitating communications between MSL and BSC for purposes of management services to be performed under this Change Order.
7. Due to necessity in providing additional services not contemplated under the initial MSA coupled with delays in permitting and circumstances outside of the control of the parties the following line items are hereby added to the MSA.

Description	Unit	Unit Price
Mobilization	LS	\$ 725,000.00
Demobilization	LS	\$ 500,000.00
Poseidon Barge Assembly	LS	\$ 125,000.00
Diesel Fuel	GAL	Actual Cost
HDPE Discharge Pipe	LF	\$ 15.42
Fuel Tank - 1,000 Gallon	Day	\$ 93.22
Lodging	Day	Actual (NTS \$214.00)
Meals	Day	\$ 74.00
Travel (Flight)	Ea	Actual
Truck (4x4)	HR	\$ 19.87
LIDAR Survey	EA	\$ 42,000.00
Commercial Divers	HR	\$ 1,125.00
Fusion Technicians	HR	\$ 625.00
Pump Operators	HR	\$ 535.71

Labor Classification	Hourly Rate	Overtime (1.5)	Double Time (2.0)
Crane Operator	\$ 179.50	\$ 269.25	\$ 359.00
Equipment Operator	\$ 168.25	\$ 252.38	\$ 336.50
Boat Captain	\$ 168.25	\$ 252.38	\$ 336.50
Superintendent	\$ 243.00	\$ 364.50	\$ 486.00
Foreman	\$ 214.00	\$ 321.00	\$ 428.00

8. All other terms and conditions of the MSA and the Task Orders shall remain in full force and effect. Nothing herein shall be construed as a waiver or relinquishment of MSL's obligations to pay BSC for work performed under the MSA or Task Orders.
9. The undersigned represents and warrants to MSL that it has the authority and capacity on behalf of SMVWCD to enter into this Change Order.

Mitigation Solutions, LLC

A handwritten signature in black ink, appearing to be 'R. H.', written over a horizontal line.

President

Title

03.16.23

Date

Title

Date