

**AMENDMENT, MODIFICATION, AND EXERCISE OF OPTION #1
TO
SOURCEWELL CONTRACT #MD-R5-GC01-052621-NIC**

THIS AMENDMENT, MODIFICATION, AND EXERCISE OF OPTION #1 is effective upon the date of the last signature below by and between Sourcewell and Nichols Contracting, Inc., Contractor.

Sourcewell and Contractor entered into an Indefinite Quantity Construction Contract, Contract #**MD-R5-GC01-052621-NIC**, with an effective date of June 13, 2021 an initial term of one year, three bilateral options to extend for an additional term, and the option of Sourcewell to offer one additional one-year extension term if determined to be in the best interests of Sourcewell and its members.

The parties agree that certain terms within Contract Number **MD-R5-GC01-052621-NIC** will be amended, the Contractor's Adjustment Factors will be modified, and that Sourcewell's option to offer a one-year extension term will be exercised and accepted by Contractor.

IN CONSIDERATION OF the mutual covenants and agreements described in this Amendment, Modification, and Exercise of Option, the parties agree as follows:

AMENDMENT: EXPIRATION DATE CORRECTION

Section 1. B. of the Contract includes a sentence that reads, "This Contract expires one year from the stated effective date, unless it is terminated sooner pursuant to Article XX of the General Terms and Conditions, which are incorporated into this Contract by reference." Due to a drafting error by Sourcewell, the specific expiration date was not inserted into the contract. Sourcewell's practice is to align all awarded contracts for each solicitation to a common stated expiration date in order to provide consistency and clarity. In order to correct the error, the parties agree that Contract Section 1. B. is amended by deleting the quoted sentence and inserting a new sentence as reflected below, and that Section 1. B. will hereafter read as follows:

* * * *

This contract **expires June 10, 2022**, unless it is terminated sooner pursuant to Article XX of the General Terms and Conditions, which are incorporated into this Contract by reference. This Contract may be extended up to three additional one-year periods upon request of Sourcewell and with written agreement by the Contractor, not to exceed a total of four years.

* * * *

MODIFICATION: OPTION PERIOD

Pursuant to the Contract, the following are the Adjustment Factors for the next option period:

<u>Base Year Index</u>	
Date	Index
1 May 2020	11418.16
2 June 2020	11436.23
3 July 2020	11439.11
4 August 2020	11455.26
5 September 2020	11498.81
6 October 2020	11538.93

<u>First Year Index</u>	
Date	Index
1 May 2021	11989.91
2 June 2021	12112.05
3 July 2021	12237.69
4 August 2021	12463.13
5 September 2021	12464.55
6 October 2021	12464.94

7	November 2020	11579.02
8	December 2020	11625.95
9	January 2021	11627.94
10	February 2021	11698.79
11	March 2021	11749.75
12	April 2021	11849.32

Base Year Average 11576.4391

7	November 2021	12467.32
8	December 2021	12481.82
9	January 2022	12555.55
10	February 2022	12683.97
11	March 2022	12791.43
12	April 2022	12898.96

First Year Average 12467.6100

Price Adjustment: $\frac{\text{First Year Index Average}}{\text{Base Year Index Average}} = \frac{12467.6100}{11576.4391} = 1.0770$

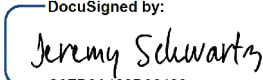
	Original Adjustment		
MD-R5-GC01-052621-NIC	Factor	x Price Adjustment	= Option Multiplier
Normal Working-Hours Prevailing Wage	1.0080	1.0770	1.0856
Other Than Normal Working Hours-Prevailing Wage	1.0300	1.0770	1.1093
Normal Working Hours-Non-Prevailing Wage	0.9070	1.0770	0.9768
Other Than Normal Working Hours-Non-Prevailing Wage	0.9800	1.0770	1.0555
Non-Pre Priced	1.0500	1.0000	1.0500

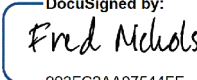
EXERCISE OF OPTION: EXTENSION

Contractor and Sourcewell hereby desire and agree to extend the above defined contract, with the above identified amendment and modifications, for the period of June 13, 2022 through June 10, 2023.

Sourcewell

Nichols Contracting, Inc.

DocuSigned by:

 C0FD2A139D06489...
 By: _____
 Jeremy Schwartz
 Title: Chief Procurement Officer
 Date: 6/10/2022 | 10:26 AM CDT

DocuSigned by:

 993FC2AA07544FE...
 By: _____
 Fred A. Nichols
 Title: President
 Date: 6/10/2022 | 8:00 AM PDT

**AGREEMENT TO
MODIFY AND EXTEND
SOURCEWELL CONTRACT #MD-R5-GC01-052621-NIC**

THIS AGREEMENT TO MODIFY AND EXTEND, Sourcewell Contract #WA-DC-E01-100120-VGL, is effective upon the date of the last signature below.

Sourcewell and Nichols Contracting, Inc. ("Contractor") have entered into an Indefinite Quantity Construction Contract, Contract Number **MD-R5-GC01-052621-NIC**, with an initial term ending June 10, 2022, and three bilateral options to extend for an additional one-year term ("Contract"). The Contract has previously been extended by the parties for the term ending June 10, 2023. The parties agree that the Contractor's Adjustment Factors will be modified, and that Sourcewell's offer of a one-year extension term will be accepted by Contractor.

MODIFICATION: OPTION PERIOD

Pursuant to the Contract, the following are the Adjustment Factors for the term ending June 10, 2024:

Base Year Index			Second Year Index		
	Date	Index		Date	Index
1	May 2020	11418.16	1	May 2022	13004.47
2	June 2020	11436.23	2	June 2022	13110.50
3	July 2020	11439.11	3	July 2022	13167.84
4	August 2020	11455.26	4	August 2022	13171.07
5	September 2020	11498.81	5	September 2022	13173.43
6	October 2020	11538.93	6	October 2022	13174.92
7	November 2020	11579.02	7	November 2022	13174.98
8	December 2020	11625.95	8	December 2022	13160.29
9	January 2021	11627.94	9	January 2023	13175.03
10	February 2021	11698.79	10	February 2023	13175.93
11	March 2021	11749.75	11	March 2023	13176.30
12	April 2021	11849.32	12	April 2023	13229.57
Base Year Average		11576.4391	Second Year Average		13157.8608

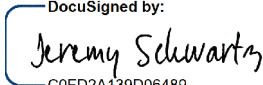
$$\text{Adjustment: } \frac{\text{Second Year Index Average}}{\text{Base Year Index Average}} = \frac{13157.8608}{11576.4391} = 1.1366$$

	Original Adjustment Factor	x	Adjustment	=	Adjustment Factor 06/11/23 through 06/10/24
MD-R5-GC01-052621-NIC					
Normal Working Hours – Prevailing Wage	1.0080		1.1366		1.1457
Other Than Normal Working Hours – Prevailing Wage	1.0300		1.1366		1.1707
Normal Working Hours – Non-Prevailing Wage	0.9070		1.1366		1.0309
Other Than Normal Working Hours – Non- Prevailing Wage	0.9800		1.1366		1.1139
Non Pre-Priced	1.0500		1.0000		1.0500

EXERCISE OF OPTION: EXTENSION

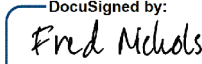
Contractor and Sourcewell hereby desire and agree to extend the Contract, with the above modification, for the period June 11, 2023 through June 10, 2024.

Sourcewell

DocuSigned by:

 By: _____
 Jeremy Schwartz
 Title: Chief Procurement Officer

Date: 5/15/2023 | 11:03 AM CDT

Nichols Contracting, Inc.

DocuSigned by:

 By: _____
 Fred A. Nichols
 Title: President

Date: 5/15/2023 | 9:01 AM PDT

**AGREEMENT TO
MODIFY AMENDMENT TO
SOURCEWELL CONTRACT #MD-R5-GC01-052621-NIC**

THIS AGREEMENT TO MODIFY the Amendment dated May 15, 2023, to Sourcewell Contract # **MD-R5-GC01-052621-NIC**, is effective upon the date of the last signature below.

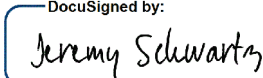
Sourcewell and Nichols Contracting, Inc. (collectively referred to as “the Parties”) entered into an Indefinite Quantity Construction Contract, Contract # **MD-R5-GC01-052621-NIC** (“Contract”) which was subsequently extended via Amendment dated May 15, 2023 (“Amendment”). Said Amendment contained an error in the opening paragraph wherein the incorrect Sourcewell Contract number was referenced.

Therefore, the Parties agree that the opening paragraph of the Amendment shall be deleted in its entirety and replaced with the following:

THIS AGREEMENT TO MODIFY AND EXTEND, Sourcewell Contract # **MD-R5-GC01-052621-NIC**, is effective upon the date of the last signature below.

Except as amended above, the Amendment remains in full force and effect.

Sourcewell

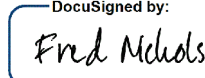
DocuSigned by:

By: _____
C0FD2A139D06489...

Jeremy Schwartz

Title: Chief Procurement Officer

Date: 10/11/2023 | 3:58 PM CDT

Nichols Contracting, Inc.

DocuSigned by:

By: _____
993FC2AA07544FE...

Fred A. Nichols

Title: President

Date: 10/11/2023 | 12:47 PM PDT

**AGREEMENT TO
MODIFY AND EXTEND
SOURCEWELL CONTRACT #MD-R5-GC01-052621-NIC**

THIS AGREEMENT TO MODIFY AND EXTEND, Sourcewell Contract #MD-R5-GC01-052621-NIC, is effective upon the date of the last signature below.

Sourcewell and Nichols Contracting, Inc. ("Contractor") have entered into an Indefinite Quantity Construction Contract, Contract Number **MD-R5-GC01-052621-NIC**, with an initial term ending June 10, 2022, and three bilateral options to extend for an additional one-year term ("Contract"). The Contract has previously been extended by the parties for the term ending June 10, 2024. The parties agree that the Contractor's Adjustment Factors will be modified, and that Sourcewell's offer of a one-year extension term will be accepted by Contractor.

MODIFICATION: OPTION PERIOD

Pursuant to the Contract, the following are the Adjustment Factors for the term ending June 10, 2024:

Base Year Index	
Date	Index
1 May 2020	11418.16
2 June 2020	11436.23
3 July 2020	11439.11
4 August 2020	11455.26
5 September 2020	11498.81
6 October 2020	11538.93
7 November 2020	11579.02
8 December 2020	11625.95
9 January 2021	11627.94
10 February 2021	11698.79
11 March 2021	11749.75
12 April 2021	11849.32

Base Year Average 11576.4391

Second Year Index	
Date	Index
1 May 2023	13288.27
2 June 2023	13345.00
3 July 2023	13424.98
4 August 2023	13472.56
5 September 2023	13485.67
6 October 2023	13497.97
7 November 2023	13510.57
8 December 2023	13514.76
9 January 2024	13515.02
10 February 2024	13518.12
11 March 2024	13532.01
12 April 2024	13532.08

Second Year Average 13469.7508

$$\text{Adjustment: } \frac{\text{Second Year Index Average}}{\text{Base Year Index Average}} = \frac{13469.7508}{11576.4391} = 1.1635$$

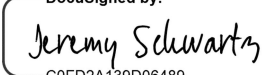
MD-R5-GC01-052621-NIC	Original Adjustment Factor	x Adjustment	=	Adjustment Factor 06/11/24 through 06/10/25
Normal Working Hours – Prevailing Wage	1.0080	1.1635		1.1728
Other Than Normal Working Hours – Prevailing Wage	1.0300	1.1635		1.1984
Normal Working Hours – Non-Prevailing Wage	0.9070	1.1635		1.0553
Other Than Normal Working Hours – Non-Prevailing Wage	0.9800	1.1635		1.1402
Non Pre-Priced	1.0500	1.0000		1.0500


EXERCISE OF OPTION: EXTENSION

Contractor and Sourcewell hereby desire and agree to extend the Contract, with the above modification, for the period June 11, 2024 through June 10, 2025.

Sourcewell

Nichols Contracting, Inc.

DocuSigned by:

 By: _____
C0FD2A139D06489...
 Jeremy Schwartz
 Title: Chief Procurement Officer

DocuSigned by:

 By: _____
993FC2AA07544FE...
 Fred A. Nichols
 President

Date: 5/6/2024 | 11:54 AM CDT

Date: 5/6/2024 | 9:31 AM PDT