

EXHIBIT I

CHANGE ORDER

PROJECT: VISTA AURORA SUBDIVISION SANITARY SEWER LINE CONSTRUCTION

CONTRACTOR: Argonaut Insurance Company Surety/ Done Right Construction, LLC,
Construction contractor

CHANGE ORDER NO: 3

ENGINEER: Santa Fe Engineering Consultants/ Bernadette Scargall PM

SFC PROJECT NO: 2019-0140-PW/CW

Construction contractor e-mail: Carlos@donerightconstruction.net
Surety e-mail: scannon@krebsfarley.com

ENGINEER'S PROJECT NO: 0171

CHANGE ORDER JUSTIFICATION. The original contractor for this project defaulted in 2019 without completing Project No. 2019-0140-PW/CO. The original contractor's surety, *Surety Argonaut Insurance Company, administered by Contracting Managing General Insurance Agency, Inc.*, has secured the services of a construction contractor, Done Right Construction, LLC, to complete Project No. 2019-0140-PW/CW for the County. This Change Order will extend the project completion date for Done Right Construction, LLC.

You are directed to make the following changes to this Project:

The completion date for construction contractor Done Right Construction, LLC, to achieve substantial completion of SFC County Project No. 2019-0140-PW/CW, the Aurora Vista Subdivision Sanitary Sewer Line Construction, is changed from July 22, 2019 to February 1, 2020.

NOT VALID UNTIL SIGNED BY BOTH THE COUNTY AND SURETY. Signature of the Surety indicates its agreement herewith.

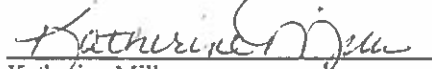
Original contract sum:	\$394,628.74
Net change by previously authorized change orders:	\$49,663.26
Contract sum is unchanged by this Change Order No. 3:	\$ 0.00
Contract sum including this Change Order:	\$444,292.00

The Contract Time will be increased/decreased/unchanged by ~~252~~ days.

The date of Substantial Completion as of the date of this Change Order therefore is: February 1, 2020.

CHANGE ORDER SIGNATURE PAGE

SANTA FE COUNTY


Katherine Miller
Santa Fe County Manager

1-15-2020
Date

Approved as to form:


Rachel A. Brown
Interim Santa Fe County Attorney


1-10-2020
Date

Finance Division:


Gary L. Giron
Finance Director

1/14/20
Date

ARGONAUT INSURANCE COMPANY, administered by Contractor Managing General
Insurance Agency, Inc. - SURETY


Signature

01/10/2020
Date


Print name and title
LIBERTY CONSULTANT FUND ARGONAUT



KREBS FARLEY & DRY

STEVEN K. CANNON
ASSOCIATE
TEXAS
(972) 737-2564 TELEPHONE
(972) 737-2543 FACSIMILE
scannon@krebsfarley.com

0588-0116

December 4, 2019

VIA EMAIL rjoe@santafecountynm.gov

Santa Fe County

Attn: Roberta Joe

142 W. Palace Ave., 2nd Floor

Santa Fe, NM 87501

Re: Principal: Gandydancer, LLC (the "Principal")
Surety: Argonaut Insurance Company, administered by Contractor Managing
General Insurance Agency, Inc. (the "Surety")
Obligee: Santa Fe County (the "Obligee")
Project: Vista Aurora Subdivision Sanitary Sewer Line Construction Project IFB:
2019-0410-PW/CW (the "Project")
Bond No.: CMGP0001943 (the "Bond")

Ms. Joe:

As you are aware, the undersigned represents the Surety which is the payment and performance bond surety for the Principal on the above-referenced Project. The Surety received correspondence from the Obligee dated August 16, 2019, wherein the Obligee notified the Surety that the Principal was in default of its agreement with the Obligee on the Project.

As such, the Surety has taken steps to complete the remaining scope of work on the Project. The Surety, with the assistance of its consultant, Bob Coleman of Augsburg Services, Inc., and the Obligee, has conducted an investigation of the Project site, the completed work, the remaining scope of work, and alleged deficient and defective work. As of November 11, 2019, the Surety has contracted with Done Right Construction, LLC ("DRC") to complete the remaining scope of work on the Project.

Please confirm that as of August 19, 2019, the date in which Pay Application #4 was paid, the adjusted contract amount, inclusive of New Mexico Gross Receipts Tax (NMGR) was \$481,626.36, the remaining balance of Bonded Contract Funds held by the Obligee, inclusive of NMGR was \$271,488.05, and since such date, no additional change orders have been issued and no additional funds have been disbursed. As previously directed, all contract funds, balances, claims, and retainages now or hereinafter payable in connection with the above-referenced contract and Project should be made payable to Contractor Managing General Insurance Agency, Inc., and forwarded directly to:

December 4, 2019
Page 2

Syrberus, Inc.
4164 Austin Bluffs Parkway, #362
Colorado Springs, CO 80918

DRC has already begun its work, particularly on the alleged deficient and defective work, and Augsburg is routinely reviewing and monitoring the work. DRC estimated date of substantial completion is January 1, 2020. By execution below, please confirm the new completion date for the Project is now February 1, 2020. A subsequent written change order to account for such additional days will be executed by both the Surety and the Obligee.

To confirm the accuracy of the amounts discussed above and the agreement regarding the adjusted Completion Date, please execute the bottom of this letter and return to the Surety's counsel via email at scannon@krebsfarley.com.


This letter is sent without prejudice to the rights of the Surety and it shall not constitute a waiver or release of any of its rights or defenses.

Regards,


Steven K. Cannon

cc: Stephanie Shear (via email)

Santa Fe County

Signature: 

Printed Name: Katherine Miller

Title/Position: Santa Fe County Manager