

Contract Summary Form

OC Expediter Requisition# 1793366
Powers Bros. Machine, Inc.

Summary of Significant Changes

Added Paragraph 33. Facility Sublease

Subcontractors

This contract does not include subcontractors or pass through to other providers.

Contract Operating Expenses

See attached excerpt from the contract, which details the contract renewal term of September 13, 2026, through and including September 12, 2027, in the not to exceed amount of \$300,000, for a cumulative contract not to exceed amount of \$1.2 million.

WHEREAS, COUNTY desires to renew the ORIGINAL CONTRACT for a one-year term of September 13, 2026 through and including September 12, 2027, as well as, add Paragraph 33 to the General Terms and Conditions – Additional Terms and Conditions;

NOW THEREFORE, in consideration of the mutual obligations set forth herein, both COUNTY and CONTRACTOR agree as follows:

1. ARTICLES

- a. General Terms and Conditions, Additional Terms and Conditions, Paragraph 2 – Term of Contract, of the ORIGINAL CONTRACT is amended in its entirety as follows:

2. Term of Contract: This Contract shall commence upon execution of all necessary signatures and continue for three (3) calendar years from that date, unless otherwise terminated by County. This Contract may be renewed as set forth in paragraph 3 below.

- b. Additional Terms and Conditions, Paragraph 3 – Renewal, of the ORIGINAL CONTRACT is amended in its entirety as follows:

3. Renewal: This Contract may not be renewed.

- c. The following Paragraph 33, Facility Sublease, is added in its entirety to the General Terms and Conditions, Additional Terms and Conditions, of the ORIGINAL CONTRACT:

33. Facility Sublease: Notwithstanding anything in this Contract the parties agree:

1) (a) This Contract in all respects is subordinate and subject to the terms of the Indenture for the State Public Works Board of the State of California Lease Revenue Bonds 2024 Series D (Various Capital Projects) (the "Bonds"), and the Site Lease, the Facility Lease, and the Facility Sublease (including but not limited to, reletting rights) related to the Bonds that involve, or are executed by, the County of Orange and any subsequent indenture or amended or restated site lease, facility lease, and facility sublease entered into to facilitate a refunding of the Bonds; (b) to the extent the Bonds are refunded, the foregoing subordination shall be self-executing and effective automatically without the requirement that any further agreement or confirmation be executed or delivered by County; provided, however, that upon written request from the State Public Works Board in connection with any State Public Works Board Financing, County shall execute such further writings as may be reasonably required to separately document any such subordination; and

2) This Contract is subject to the review and written consent of the State Public Works Board and Department of Corrections and Rehabilitation (CDCR) prior to execution, as is any amendment or modification thereto; and

3) This Contract shall be terminable by the County, CDCR, or at the direction of the State Public Works Board upon thirty (30) days' written notice, without penalty or cause.

- d. Attachment B, Compensation and Pricing Provisions, Section 2 – Fees and Charges, of the ORIGINAL CONTRACT is amended in part as follows:

Contract total shall not exceed \$300,000 for the term of 09/13/2026 through 09/12/2027.