CONSULTANT SUPPLEMENTAL AGREEMENT/CONTRACT AMENDMENT
FOR STATE OF MINNESOTA PROFESSIONAL AND TECHNICAL SERVICES
MASTER CONTRACT

PROJECT NAME: Construction Testing and Inspection Services
LOCATION: Various in MN
CONSULTANT: Bay West LLC
ADDRESS: 5 Empire Dr.
St. Paul, MN 55103

To Be Completed by State

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Date | Order Number | Line Number | Entered By | Control Number |
|-----|--------------|-------------|------------|----------------|

[Individual signing certifies that funds have been encumbered as required by Minnesota Statute §§16A.15 AND 16C.05]

Contract Begin Date: 11/21/2014
Current Est’d Expiration Date: 10/31/2016
Revised Est’d Expiration Date: No revision

SUPPLEMENTAL AGREEMENT/CONTRACT AMENDMENT NO. # 1

This SUPPLEMENTAL AGREEMENT/CONTRACT AMENDMENT is made by and between the STATE of MINNESOTA, acting through its Commissioner of Administration, “STATE,” and, Bay West LLC, 5 Empire Dr., St. Paul, MN 55103-1867, “CONSULTANT.”

WHEREAS, STATE and CONSULTANT have entered into a contract, known as Department of Administration Contract No. 85265 for Construction Testing and Inspection Services; which was effective on November 21, 2014.

WHEREAS,

1. The original contract called for construction testing and inspection services.
2. Minn. Stat. §363A.44 Equal Pay requirements shall apply to this Agreement.

NOW THEREFORE, it is mutually agreed to amend Contract No. 85265 as follows:

1. Exhibit E1, State of Minnesota Equal Pay Certificate, is attached and incorporated into this Agreement.

Except as amended herein, the terms and conditions of the Original Contract and all previous amendments remain in full force and effect.
IN WITNESS WHEREOF, STATE has caused this Supplemental Agreement/Contract Amendment to be duly executed on its behalf and CONSULTANT has caused the same to be duly executed on its behalf.

This Supplemental Agreement/Contract Amendment may be executed in counterpart; once all parties have signed on one or separate copies, a copy signed by one party is binding on that party same as if signed by all remaining parties.

1. **STATE ENCUMBRANCE VERIFICATION**
   Individual certifies that funds have been encumbered as required by Minn. Stat. §§ 16A.15 and 16C.05.
   
   **SWIFT Order Number:**
   
   **Certification Signature:** N/A
   
   **Date:**

2. **CONSULTANT: Bay West LLC**
   CONSULTANT certifies that the appropriate person(s) have executed the Agreement on behalf of the CONSULTANT as required by applicable articles, by-laws, resolutions, or ordinances.
   
   **By:**
   
   (Corporate Signature)
   
   **Printed Name:** Edward J. Bacig
   
   **Title:** Vice President
   
   **Date:** March 09, 2015

3. **STATE AGENCY: Department of Administration**
   Contract approval and certification that state funds have been encumbered as required by Minnesota Statutes §§ 16A.15 and 16C.05.
   
   **By:**
   
   (Authorized Signature)
   
   **Printed Name:** Gordon Christofferson
   
   **Title:** Project Operations Manager
   
   **Date:** 3/24/15

4. **COMMISSIONER OF ADMINISTRATION, as delegated to Materials Management Division:**
   
   **By:** (Authorized Signature)
   
   **Printed Name:** Sarah Freedland
   
   **Title:**
   
   **Date:** 3-26-15

Distribution:
Agency – Original (fully executed) Contract
Department of Administration
Contractor
State Authorized Representative

RECEIVED
MAR 23 2015
REAL ESTATE AND CONSTRUCTION SERVICES
Exhibit E1

State of Minnesota – Equal Pay Certificate

If your response could be in excess of $500,000, please complete and submit this form with your submission. **It is your sole responsibility to provide the information requested and when necessary to obtain an Equal Pay Certificate (Equal Pay Certificate) from the Minnesota Department of Human Rights (MDHR) prior to contract execution. You must supply this document with your submission.**

Please contact MDHR with questions at: 651-539-1095 (metro), 1-800-657-3704 (toll free), 711 or 1 800 627-3629 (MN Relay) or at compliance.MDHR@state.mn.us.

Option A – If you have employed more than 40 full-time employees on any single working day in one state during the previous 12 months, please check the applicable box below:

☑ Attached is our current MDHR Equal Pay Certificate.

☐ Attached is MDHR’s confirmation of our Equal Pay Certificate application.

Option B – If you have not employed more than 40 full-time employees on any single working day in one state during the previous 12 months, please check the box below.

☐ We are exempt. We agree that if we are selected we will submit to MDHR within five (5) business days of final contract execution, the names of our employees during the previous 12 months, date of separation if applicable, and the state in which the persons were employed. Documentation should be sent to compliance.MDHR@state.mn.us.

The State of Minnesota reserves the right to request additional information from you. If you are unable to check any of the preceding boxes, please contact MDHR to avoid a determination that a contract with your organization cannot be executed.

Your signature certifies that you are authorized to make the representations, the information provided is accurate, the State of Minnesota can rely upon the information provided, and the State of Minnesota may take action to suspend or revoke any agreement with you for any false information provided.

Liz Schmilen
Liz Schmilen
Dir. HR

Authorized Signature
Printed Name

BayWest LLC

Organization

41-1234511

MN/FED Tax ID#

3.9.15

Date

Issuing Entity

NA

Project # or Lease Address

NA

7/25/14
CERTIFICATE OF
EQUAL PAY

BAY WEST LLC is hereby awarded a Certificate of Equal Pay by the Minnesota
Department of Human Rights. This certificate is valid from August 26, 2014 to August 25,
2018.

This certification is subject to revocation or suspension prior to its expiration if the Department
issues a finding of noncompliance.

Minnesota Department of Human Rights

FOR THE DEPARTMENT BY:

[Signature]
Kevin M. Lindsey, Commissioner