



Board Report

File #: A 22-496, **Version:** 1

- a. Approve retroactively a Renewal and Amendment No. 9 to Agreement A-12442 with Denise Duffy & Associates, Inc., (CONTRACTOR) to extend the term of the Agreement seventeen (17) months to December 31, 2023, with a retroactive start date of July 1, 2022 for the Carmel Lagoon Project (REF 120051);
- b. Approve redistribution of funds from Task 8.7, Additional Services, in the amount of \$5,242 to Task 8.4, Additional Technical Studies, subtasks 8.4.1 and 8.4.4 in the amounts of \$1,693 and \$3,549, respectively; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute: 1) Renewal and Amendment No. 9 to Professional Services Agreement No. A-12442 and 2) future amendments to Professional Services Agreement A-12442 to extend the term beyond the original term authorized in Request for Proposals #2012-CRL-1 where the amendments do not significantly alter the scope of work or increase the amount by more than 10%, subject to County Counsel approval.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve retroactively a Renewal and Amendment No. 9 to Agreement A-12442 with Denise Duffy & Associates, Inc., (CONTRACTOR) to extend the term of the Agreement seventeen (17) months to December 31, 2023, with a retroactive start date of July 1, 2022 for the Carmel Lagoon Project (REF 120051);
- b. Approve redistribution of funds from Task 8.7, Additional Services, in the amount of \$5,242 to Task 8.4, Additional Technical Studies, subtasks 8.4.1 and 8.4.4 in the amounts of \$1,693 and \$3,549, respectively; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute: 1) Renewal and Amendment No. 9 to Professional Services Agreement No. A-12442 and 2) future amendments to Professional Services Agreement A-12442 to extend the term beyond the original term authorized in Request for Proposals #2012-CRL-1 where the amendments do not significantly alter the scope of work or increase the amount by more than 10%, subject to County Counsel approval.

SUMMARY/DISCUSSION:

The County of Monterey Housing and Community Development Department (HCD) is the lead agency for the Carmel Lagoon Project located within and adjacent to the Carmel River State Beach and Lagoon between State Route (SR) 1 and the Pacific Ocean in the unincorporated area of Carmel, Monterey County, California. The Project is a multi-objective, multi-year, multi-organizational effort to improve habitat for threatened and endangered species in the lower Carmel River and Lagoon, improve natural floodplain function, and protect public infrastructure, while maintaining or improving flood risk to existing developed areas. Professional Services Agreement (PSA) A-12442 was entered into on May 1, 2013, with Denise Duffy & Associates, Inc. (DDA) for work to complete the Carmel Lagoon Project EIR.

PSA A-12442 expired on June 30, 2022. With approval of this Amendment 9 the term of the agreement will be extended to December 31, 2023, to allow the contractor sufficient time to complete tasks associated with the Carmel Lagoon EIR Project. The total not to exceed amount of \$1,547,252.82 will not change with Amendment 9. There are sufficiently budgeted funds to cover expected invoices for work done by DDA within contract renewal period.

If approved, Amendment 9 will also reassign \$5,242 in available funds from Task 8.7 to Task 8.4. Task 8.4, Additional Technical Studies, regarding the evaluation of the natural stream alignment and sediment transport analysis have been completed at \$5,242 over budget. Task 8.7, Additional Services, has available excess funds, and the transfer of those funds to Task 8.4 would rebalance the budget. There would be no change to the not to exceed amount of \$1,547,252.83.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller's Office have reviewed and approved Renewal and Amendment No. 9 as to form and legality, and fiscal provisions, respectively.

FINANCING:

There are no additional costs associated with the redistribution of funds within the Agreement. The project is currently budgeted in Fund 404, Unit 8564, Appropriation Unit PFP057, for Fiscal Year 2023 with a budget of \$428,370.28.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Approval of Renewal and Amendment No. 9 advances the Board of Supervisors' Infrastructure and Public Safety Strategic Initiatives by facilitating the planning and development of sustainable infrastructure that will balance environmental protection with maintaining flood protection for lagoon-area properties and public infrastructure. The technical studies and on-going environmental review for the Project continues to advance the Project toward implementation.

Economic Development

Administration

Health & Human Services

X Infrastructure

X Public Safety

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Approved by: Melanie Beretti, AICP, Principal Planner, 755-5285

Approved by: Erik V. Lundquist, AICP, Director, 755-5025

The following attachments are on file with the Clerk of the Board:

Attachment 1 - Renewal and Amendment No. 9

Attachment 2 - Amendment No. 8

Attachment 3 - Amendment No. 7

Attachment 4 - Amendment No. 6

Attachment 5 - Amendment No. 5

Attachment 6 - Amendment No. 4

Attachment 7 - Amendment No. 3

Attachment 8 - Amendment No. 2

Attachment 9 - Amendment No. 1

Attachment 10 - Agreement