

Attachment K

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Monterey County Board of Supervisors

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Board Order

A motion was made by Supervisor John M. Phillips, seconded by Supervisor Luis A. Alejo to:

- a. Approve Amendment No. 2 to Professional Services Agreement No. A-13431, Multi-Year Agreement #3000*2981, with Kleinfelder, Inc. to continue to provide on-call geotechnical engineering services for projects located in Monterey County, California, Request for Qualifications #1701, to increase the not-to-exceed amount by \$100,000 for a total amount not-to-exceed \$400,000 with no extension to the term of January 24, 2017 to January 23, 2021, with the option to extend the term for one (1) additional one (1) year period;
- b. Approve Amendment No. 2 to Professional Services Agreement No. A-13432, Multi-Year Agreement #3000*2983, with Moore Twining Associates, Inc. to continue to provide on-call geotechnical engineering services for projects located in Monterey County, California, Request for Qualifications #1701, to increase the not-to-exceed amount by \$200,000 for a total amount not-to-exceed \$500,000 with no extension to the term of January 24, 2017 to January 23, 2021, with the option to extend the term for one (1) additional one (1) year period;
- c. Approve Amendment No. 2 to Professional Services Agreement No. A-13435, Multi-Year Agreement #3000*2986, with Professional Service Industries, Inc. to continue to provide on-call geotechnical engineering services for projects located in Monterey County, California, Request for Qualifications #1701, to increase the not-to-exceed amount by \$200,000 for a total amount not-to-exceed \$500,000 with no extension to the term of January 24, 2017 to January 23, 2021, with the option to extend the term for one (1) additional one (1) year period; and
- d. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to each Professional Services Agreement and future amendments to each Agreement where the amendments do not significantly alter the scope of work or increase the approved amount of each Agreement.

PASSED AND ADOPTED on this 21st day of April 2020, by roll call vote:

AYES: Supervisors Alejo, Phillips, Lopez, Parker and Adams

NOES: None

ABSENT: None

(Government Code 54953)

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting April 21, 2020.

Dated: April 22, 2020

File ID: A 20-070

Agenda Item No.: 43

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California

Joel G. Pablo, Deputy

**AMENDMENT NO. 2
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
MOORE TWINING ASSOCIATES, INC.**

THIS AMENDMENT NO. 2 to Professional Services Agreement No. A-13432 between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and Moore Twining Associates, Inc. (hereinafter, "CONTRACTOR") is hereby entered into between the County and the CONTRACTOR (collectively, the "Parties") and effective as of the last date opposite the respective signatures below.

WHEREAS, CONTRACTOR entered into Professional Services Agreement No. A-13432 with County on February 2, 2017 (hereinafter, "Agreement") to provide on-call geotechnical engineering services (hereinafter, "services") for projects located in Monterey County through January 23, 2020 with an option to extend the Agreement for two (2) additional one (1) year periods for an amount not to exceed \$300,000; and

WHEREAS, Agreement was amended by the Parties on January 22, 2020 (hereinafter, "Amendment No. 1") to extend the term for one (1) additional year through January 23, 2021 with no increase in the not to exceed amount; and

WHEREAS, County has a continued need for services; and

WHEREAS, additional funding is necessary to allow CONTRACTOR to continue to provide services required by County; and

WHEREAS, the Parties wish to further amend the Agreement to increase the amount by \$200,000 for a total amount not to exceed \$500,000 to allow CONTRACTOR to continue to provide services identified in the Agreement and as amended by this Amendment No. 2.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. Amend the second sentence of Section 2, "Payments by County", to read as follows:

The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$500,000.

2. All other terms and conditions of the Agreement, including all Exhibits thereto, remain unchanged and in full force.
3. This Amendment No. 2 and the previous Amendment No. 1 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
4. The recitals to this Amendment No. 2 are incorporated into the Agreement and this Amendment No. 2.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

By: [Signature]
Contracts/Purchasing Officer

Date: 05-04-2020

Approved as to Form
Office of the County Counsel
Leslie J. Girard, County Counsel

By: [Signature]
Mary Grace Perry
Deputy County Counsel

Date: 2-28-2020

Approved as to Fiscal Provisions

By: [Signature]
Auditor/Controller

Date: 3/3/2020

Approved as to Indemnity and Insurance Provisions
Office of the County Counsel-Risk Manager
Leslie J. Girard, County Counsel-Risk Manager

By: _____

Name: _____

Title: _____

Date: _____

CONTRACTOR*

Moore Twining Associates, Inc.

Contractor's Business Name

By: [Signature]
(Signature of Chair, President or Vice President)

Its: HARRY D. MOORE, Pres.
(Print Name and Title)

Date: 2/20/2020

By: [Signature]
(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)

Its: Ruth E. Moore / Sec.
(Print Name and Title)

Date: 2/20/2020

*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managers. If CONTRACTOR is a partnership, the full legal name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement or Amendment to said Agreement.

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