



Monterey County

168 West Alisal Street,
1st Floor
Salinas, CA 93901
831.755.5066

Board Report

Legistar File Number: A 15-012

February 03, 2015

Introduced: 1/26/2015

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve Amendment No. 2 to Professional Services Agreement No. A-12432 with Rincon Consultants, Inc. where the Base budget is increased by \$56,530 to \$303,825 and the Contingency budget is increased by \$19,786 to \$122,916, for a total amount not to exceed \$426,741 to complete additional work related to response to comments for the Draft Environmental Impact Report (EIR) and new tasks related to review of the Administrative Final EIR and Appendix to the EIR for the California Flats Solar Project (PLN120294) in South County, and extend the term to September 30, 2015; and
 - b. Approve Amendment No. 2 to Funding Agreement No. A-12433 with California Flats Solar, LLC where the Base budget is increased by \$56,530 to \$303,825, the Contingency budget is increased by \$19,786 to \$122,916, and the County Contract Administration Fee is unchanged at \$3,170, for a total amount not to exceed \$429,911 to allow funding to Monterey County for costs incurred by Rincon Consultants, Inc. and County departments to complete additional work related to response to comments for the Draft EIR and new tasks related to review of the Administrative Final EIR and Appendix to the EIR for the California Flats Solar Project (PLN120294) in South County, and extend the term to September 30, 2015; and
 - c. Authorize the Director of Planning to execute Amendment No. 2 to Professional Services Agreement No. A-12432, Amendment No. 2 to Funding Agreement No. A-12433 and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.
- (REF150001/Rincon Consultants, Inc. and PLN120294/EIR for the California Flats Solar Project, in South County)

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 2 to Professional Services Agreement No. A-12432 with Rincon Consultants, Inc. where the Base budget is increased by \$56,530 to \$303,825 and the Contingency budget is increased by \$19,786 to \$122,916, for a total amount not to exceed \$426,741 to complete additional work related to response to comments for the Draft Environmental Impact Report (EIR) and new tasks related to review of the Administrative Final EIR and Appendix to the EIR for the California Flats Solar Project (PLN120294) in South County, and extend the term to September 30, 2015; and
- b. Approve Amendment No. 2 to Funding Agreement No. A-12433 with California Flats Solar, LLC where the Base budget is increased by \$56,530 to \$303,825, the Contingency budget is increased by \$19,786 to \$122,916, and the County Contract Administration Fee is unchanged at \$3,170, for a total amount not to exceed \$429,911 to allow funding to Monterey County for costs incurred by Rincon Consultants, Inc. and County departments to complete additional work related to response to comments for the Draft EIR and new

tasks related to review of the Administrative Final EIR and Appendix to the EIR for the California Flats Solar Project (PLN120294) in South County, and extend the term to September 30, 2015; and

- c. Authorize the Director of Planning to execute Amendment No. 2 to Professional Services Agreement No. A-12432, Amendment No. 2 to Funding Agreement No. A-12433 and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

SUMMARY:

See Attachment A - Summary of Professional Services Agreement (PSA) and Funding Agreement (FA).

DISCUSSION:

An increase in costs was identified by Rincon Consultants, Inc. after receiving an unanticipated number of comments from the Public and to accommodate the Project Applicant's request to review and comment on the Administrative Final EIR and to peer review the new Appendix provided by Pacific Gas & Electric Company for the proposed switching station for the EIR for the California Flats Solar Project. Amendment No. 2 to PSA No. A-12432 with Rincon Consultants, Inc. and Amendment No. 2 to FA No. A-12433 with California Flats Solar, LLC provide additional funding for these additional and new tasks. Amendment No. 2 will increase the PSA by \$76,315 (\$56,530 Base budget plus a \$19,786 Contingency budget), for a total amount not to exceed \$426,741, and will increase the FA by \$76,315 (\$56,530 Base budget plus a \$19,786 Contingency budget and \$0 for Contract Administration Fee), for a total amount not to exceed \$429,911, and extends the term of the PSA and FA through September 30, 2015.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed Amendment No. 2 as to form and legality, and fiscal provisions, respectively:

Office of the County Counsel

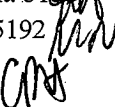

Auditor-Controller's Office

Due to late submission of this Board Report, the CAO Budget and Analysis Division was not provided adequate time to fully review for potential fiscal, organizational, policy or other implication to the County of Monterey.

FINANCING:

Pursuant to the terms of the FA with California Flats Solar, LLC, Project Applicant, and the County, the expenses of Rincon Consultants, Inc. to provide an EIR for the California Flats Solar Project and fees associated with County contract administration will be funded through budgets established in the FA. Separate fees for County staff costs associated with the Project will be paid by the Project Applicant in accordance with the County of Monterey Land Use Fee Schedule. There will be no impact to the General Fund.

Prepared by: John H. Ford, Planning Services Manager, Ext. 5157 

Approved by: Mike Novo, Director, RMA - Planning, Ext. 5192 
Carl P. Holm, AICP, Acting Director - RMA 

This report was prepared with assistance by Shelley Dickinson, Management Analyst I, and

reviewed by Dalia M. Mariscal-Martinez, Management Analyst II.

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

- Attachment A Summary of PSA and FA
- Attachment B Amendment No. 2 to PSA with Rincon Consultants, Inc.
- Attachment C Amendment No. 2 to FA with California Flats Solar, LLC
- Attachment D Reference documents for PSA
- Attachment E Reference documents for RA

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