

REIMBURSEMENT AGREEMENT

WHEREAS, County of Monterey ("COUNTY") and the Transportation Agency for Monterey County ("TAMC") entered into a Pavement Management Programs Funding Agreement ("PMP Funding Agreement") dated 2/5/18; and

WHEREAS, the PMP Funding Agreement provided that TAMC would issue a Request for Proposals for additional consultant services for payment condition surveys, budget analyses, trainings and reports (the "PMP RFP"); and

WHEREAS, the PMP Funding Agreement also provided that COUNTY would have the discretion to accept or reject the consultant selected by TAMC pursuant to that PMP RFP; and

WHEREAS, the COUNTY has considered the response to the PMP RFP proffered by the consultant selected by TAMC, with respect to COUNTY's own needs;

NOW, THEREFORE,

1. COUNTY does hereby accept Nichols Consulting Engineers (NCE) as the provider of services set forth in the PMP RFP on behalf of COUNTY.
2. Pursuant to Section II., Paragraph 5, of the PMP Funding Agreement, COUNTY hereby agrees to reimburse TAMC for COUNTY's share of consultant costs, as delineated in the agreement between TAMC and Nichols Consulting Engineers (NCE or consultant), in an amount not to exceed Two Hundred Five Thousand, Nine Hundred Twenty-Two Dollars (\$205,922.00).
3. COUNTY shall reimburse TAMC for its share of consultant costs, as will be delineated in the agreement between TAMC and NCE. TAMC will submit invoices periodically or at the completion of the consultant's services, but in any event, no later than 30 days after completion of services. The County shall certify the invoice, either in the requested amount or in such other amount as the County approves in conformity with this Reimbursement Agreement, and shall promptly submit such invoice to the County Auditor-Controller for payment. The County Auditor-Controller shall pay the amount certified within 30 days of receiving the certified invoice. Prior to TAMC approval of consultant services with respect to COUNTY, TAMC shall confer with COUNTY.
4. Both COUNTY and TAMC acknowledge that this Reimbursement Agreement is implementing a portion of the full PMP Funding Agreement, and the PMP Funding Agreement is hereby acknowledged and incorporated herein.

[signatures on next page]

In Witness Whereof, the parties have executed this Reimbursement Agreement by their duly authorized officers as of the last date opposite the respective signatures below.

County of Monterey (COUNTY)

Transportation Agency for
Monterey County (TAMC)

By: _____
Donald D. Searle Date
RMA Deputy Director of Public Works
and Facilities

By: Debra L. Hale 2/2/18
Debra L. Hale Date
Executive Director

Approved as to Form and Legality:

By: Mary Grace Perry 2-8-18
Mary Grace Perry Date
Deputy County Counsel

Approved as to Form and Legality:

By: Robert M. Shaw 1/24/2018
Robert M. Shaw Date
TAMC Counsel