

# Attachment D

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## Monterey County Board of Supervisors

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

### Board Order

**Agreement No.: A-12870**

Upon motion of Supervisor Parker, seconded by Supervisor Phillips and carried by those members present, the Board of Supervisors hereby:

- a. Approved Amendment No. 2 to Agreement, Multi-Year Agreement No. 3000\*1862, with APSICM - Sixth Dimension, LLC to continue to provide on-call construction management services for various correctional facility projects located in Monterey County, California, Request for Qualifications No. 10477, to: update the hourly rates; increase not to exceed amount by \$1,000,000 for a total amount not to exceed \$6,000,000; and extend the expiration date one (1) additional year for a revised term from July 21, 2015 to July 21, 2019, with the option to extend the Agreement for one (1) additional one (1) year period; and
- b. Authorized the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Agreement and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

**PASSED AND ADOPTED** on this 23rd day of January 2018, by the following vote, to wit:

**AYES:** Supervisors Alejo, Salinas, Phillips, Parker and Adams

**NOES:** None

**ABSENT:** None

I, Nicholas E. Chiulos, Acting 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 80 for the meeting January 23, 2018.

Dated: February 1, 2018  
File ID: A 18-004

Nicholas E. Chiulos, Acting Clerk of the Board of Supervisors  
County of Monterey, State of California

By *Danise Hancock*  
Deputy

**AMENDMENT NO. 2  
TO PROFESSIONAL SERVICES AGREEMENT  
BETWEEN COUNTY OF MONTEREY AND  
APSICM-SIXTH DIMENSION, LLC**

**THIS AMENDMENT NO. 2** to the Professional Services Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and APSICM-Sixth Dimension, LLC (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 a Professional Services Agreement with County on August 18, 2015 (hereinafter, "Agreement") to provide on-call construction management services for various correctional facility projects located in Monterey County, California (hereinafter, "services") through July 21, 2018 for an amount not to exceed \$5,000,000; and

**WHEREAS**, Agreement was amended by the Parties on November 25, 2015 (hereinafter, "Amendment No. 1", including Exhibit B-1, Payment Provisions) to replace Exhibit B with Exhibit B-1 to update the Payment Provisions with no extension to the term and with no increase in the not to exceed amount; and

**WHEREAS**, the County has a continued need for services; and

**WHEREAS**, CONTRACTOR's Payment Provisions require an update effective July 22, 2018; and

**WHEREAS**, additional time and funding are necessary; and

**WHEREAS**, the Parties wish to further amend the Agreement to extend the term for one (1) additional year to July 21, 2019, to increase the amount by \$1,000,000 for a total amount not to exceed \$6,000,000, and to update the Payment Provisions 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 Paragraph 2, "Term of Agreement", to read as follows:

The term of this Agreement is from July 21, 2015 to July 21, 2019, unless sooner terminated pursuant to the terms of this Agreement. The County has the option to extend the Agreement for one (1) additional one (1) year period. If County exercises its option to extend, all applicable parties shall mutually agree upon the extension, including any changes in rate or terms or conditions in writing.

Amendment No. 2 to Professional Services Agreement  
APSICM – Sixth Dimension, LLC  
On-Call Construction Management Services for Various Correctional Facility Projects (RFQ #10477)  
RMA – Public Works – Architectural Services  
Term: July 21, 2015 – July 21, 2019  
Not to Exceed: \$6,000,000

2. Amend Paragraph 3, "Additional Provisions/Exhibits", effective July 22, 2018, to delete "Exhibit B-1, Payment Provisions" and to add "Exhibit B-2, Payment Provisions".
3. In all places within the Agreement, any reference to "Exhibit B-1, Payment Provisions" is hereby replaced with "Exhibit B-2, Payment Provisions" effective July 22, 2018. CONTRACTOR shall be paid based on the Payment Provisions in Exhibit B-2 for work performed after July 21, 2018.
4. Amend County information under Paragraph 17, "Notices", to read as follows:

TO COUNTY:

Donald D. Searle, RMA Deputy Director of Public Works and Facilities  
County of Monterey, Resource Management Agency  
1441 Schilling Place, South 2<sup>nd</sup> Floor  
Salinas, California 93901-4527  
Phone: (831) 755-4800

5. In all places within the Agreement, any reference to the County's address at 168 West Alisal Street, 2<sup>nd</sup> Floor, Salinas, California 93901 is hereby replaced with 1441 Schilling Place, South 2<sup>nd</sup> Floor, Salinas, California 93901-4527.
6. All other terms and conditions of the Agreement remain unchanged and in full force.
7. 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.
8. The recitals to this Amendment No. 2 are incorporated into the Agreement and this Amendment No. 2.

Amendment No. 2 to Professional Services Agreement  
APSIM - Sixth Dimension, LLC  
On-Call Construction Management Services for Various Correctional Facility Projects (RFQ #10477)  
RMA - Public Works - Architectural Services  
Term: July 21, 2015 - July 21, 2019  
Not to Exceed: \$6,000,000

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: W. J. Skinner  
For Contracts/Purchasing Officer  
Deputy Purchasing Agent  
County of Monterey

Date: 2/2/18

**Approved as to Form and Legality  
Office of the County Counsel**  
By: Mary Grace Perry  
Deputy County Counsel

Date: 12-12-17

**Approved as to Fiscal Provisions**  
By: [Signature]  
Auditor/Controller

Date: 12-12-17

**Approved as to Indemnity and Insurance Provisions**

By: \_\_\_\_\_  
Risk Management

Date: \_\_\_\_\_

**CONTRACTOR\***

APSICM – Sixth Dimension, LLC  
Contractor's Business Name

By: Jay Losak  
(Signature of Chair, President or Vice President)

Its: JAY LOSAK CHAIRMAN  
(Print Name and Title)

Date: 11/29/2017

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

Its: MANI SUBRAMANIAN SECRETARY  
(Print Name and Title)

Date: 12/7/2017

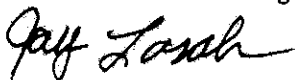
\*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managing members. 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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**EXHIBIT B-2 – PAYMENT PROVISIONS**  
Effective July 22, 2018

Principal / Project Executive		No Cost
Task Order Manager		\$227.00
Senior Project Construction Manager		\$204.00
Field Engineer		\$137.00
Certified Access Specialist		\$191.00
Document Control Specialist		\$ 96.00
SWPPP Inspector		\$ 96.00
Scheduler		\$204.00
Cost Estimator		\$204.00
Constructability / Design Reviewer		\$165.00
<b>MILEAGE:</b>		
	Per Current IRS Rate	N/A
<b>ADD SERVICE - REPRODUCTION PRINTING:</b>		
8.5 x11 per black/white	\$0.11 (20#)	N/A
11 x 17 per black/white	\$0.22 (20#)	N/A
8.5 x11 per color page	\$0.50 (32#)	N/A
11 x 17 per color page	\$1.00 (32#)	N/A
12 x 18 per black/white sheet	\$0.50	N/A
15 x 21 per black/white sheet	\$0.75	N/A
17 x 22 per black/white sheet	\$0.75	N/A
24 x 36 per black/white sheet	\$1.50	N/A
30 x 42 per black/white sheet	\$2.25	N/A
Outside Reproduction as invoiced by Printing Firm	At Cost	N/A
<b>ADD SERVICE - MEDIA:</b>		
24"X 36" Foam Core	\$27.00 - \$33.00	N/A
30" x 42" Foam Core	\$40.50 - \$49.50	N/A
CD	N/A	N/A
DVD	N/A	N/A
<b>POSTAGE/FREIGHT/DELIVERY SERVICE:</b>		
	At Cost	N/A

Note: All reimbursable expenses are included in the hourly billing rate for basic services. Any reimbursable expenses beyond the basic services will be charged at cost, with prior approval before incurring such cost.



Jay Losak, P.E, CCM, LEED AP, PMP  
**APSICM – SixthDimension**

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