



Monterey County Board of Supervisors

Board Order

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A motion was made by Supervisor Glenn Church, seconded by Supervisor Wendy Root Askew to:

Agreement No.: A-13931 ; Amendment No.: 1

a. Authorize the Chief Executive Officer for Natividad Medical Center or his designee to execute renewal & amendment No. 1 to the agreement (A-13931) with JKL Construction Services, Inc. and Bogard Construction, Inc. for construction management services pursuant to the Request for Qualifications (RFQ) # 9600-77, extending the agreement an additional two (2) year period (May 1, 2023 through April 30, 2025) for a revised full agreement term of May 1, 2018 through April 30, 2025, with no change to the total aggregate amount of \$2,000,000.

PASSED AND ADOPTED on this 26th day of September 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, 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 September 26, 2023.

Dated: September 28, 2023

File ID: A 23-441

Agenda Item No.: 24

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

Vicente Ramirez, Deputy

Original Agreement No. (A-13931)

**RENEWAL AND AMENDMENT NO. 1
TO THE SERVICES AGREEMENT
BETWEEN NATIVIDAD MEDICAL CENTER (COUNTY OF MONTEREY) AND
BOGARD CONSTRUCTION, INC.
FOR
CONSTRUCTION MANAGEMENT SERVICES**

This Renewal and Amendment No. 1 to the County of Monterey, Natividad Medical Center (NMC) Agreement for Services is made and entered into, by and between the County of Monterey (hereinafter "County"), a political subdivision of the State of California, on behalf of Natividad Medical Center, an acute care hospital (hereinafter, "NMC"), and Bogard Construction, Inc. (hereinafter "CONTRACTOR"); **From this point forward, the party referenced previously as "NMC" shall be referenced as "COUNTY" and collectively, COUNTY and CONTRACTOR are referred to as the "Parties" to this Agreement, with respect to the following:**

RECITALS

WHEREAS, the County of Monterey on behalf of Natividad Medical Center and Bogard Construction, Inc. had previously entered into an Agreement for Construction Management Services pursuant to the RFQ #9600-77 (hereinafter "Agreement") on May 1, 2018 to provide construction management services to NMC with a five year term and a total aggregate amount for all Agreements not to exceed \$2,000,000; and

WHEREAS, the Agreement expired on April 30, 2023; and

WHEREAS, the Parties wish to renew and amend the Agreement on the same or similar terms, beginning May 1, 2023 and to extend the term for an additional two (2) year period (May 1, 2023 through April 30, 2025) for a revised full Agreement term of May 1, 2018 through April 30, 2025 with no changes to the total aggregate amount for all agreements or scope of services.

AGREEMENT

NOW THEREFORE, the Parties agree as follows:

The Agreement is hereby renewed and amended on the terms and conditions as set forth in the original Agreement incorporated herein by this reference, except as specifically set forth below.

1. "TERM OF AGREEMENT" Section shall be amended to the following:
"The term of this Agreement is from May 1, 2018 through April 30, 2025 unless sooner terminated pursuant to the terms of this Agreement".
2. If there is any conflict or inconsistency between the provisions of Agreement, or this Renewal and Amendment No. 1, the provisions of this Renewal and Amendment No. 1 shall govern.
3. This Renewal and Amendment is effective retroactively on May 1, 2023.

Renewal & Amendment No. 1 to Agreement
With Bogard Construction, Inc. for
Construction Management Services

IN WITNESS WHEREOF, the Parties hereby execute this Renewal and Amendment No. 1 as follows:

**COUNTY OF MONTEREY on behalf of
NATIVIDAD MEDICAL CENTER**

DocuSigned by:
Jason Garcia
By: _____
For: Charles R. Harris MD, CEO
Date: 10/10/2023 | 11:06 AM PDT

APPROVED AS TO LEGAL PROVISIONS

DocuSigned by:
Stacy Saetta
By: _____
Monterey County Deputy County Counsel
Date: 8/29/2023 | 10:01 AM PDT

APPROVED AS TO FISCAL PROVISIONS

DocuSigned by:
Patricia Ruiz
By: _____
Monterey County Chief Deputy Auditor-Controller
Date: 8/29/2023 | 11:18 AM PDT

CONTRACTOR

BOGARD CONSTRUCTION, INC.

CONTRACTOR's Business Name

****Signature instructions below****

By: *Jared Bogaard*
(Signature of Chair, President, or Vice-President)

Jared Bogaard, President

Name and Title

Date: 8/17/23

By: *Ryan Bogaard*
(Signature of Secretary, Asst. Secretary,
CFO, Treasurer, or Asst. Treasurer)

Ryan Bogaard, Secretary/Treasurer

Name and Title

Date: 8/17/23

*****SIGNATURE INSTRUCTIONS****

If CONTRACTOR is a corporation; including limited liability and non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. (2 signatures required)

If CONTRACTOR is a partnership, the 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. (2 signatures required)

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. (1 signature required)