

Attachment E

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Monterey County Board of Supervisors

Board Order

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

Agreement No.: A-12490; A-12548

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

- a. Approved Amendment No. 3 to Agreement No. A-12490 with Michael Baker International, Inc. to increase the not to exceed amount of \$800,000 by \$300,000 for Fiscal Year 2017-18, for a total Agreement amount not to exceed \$1,100,000 to continue to provide permit application review services and extend the expiration date from July 16, 2017 for one (1) additional year through July 16, 2018, for a revised term from July 16, 2013 to July 16, 2018; and
- b. Approved Amendment No. 2 to Agreement No. A-12548 with Rincon Consultants, Inc. to increase the not to exceed amount of \$800,000 by \$300,000 for Fiscal Year 2017-18, for a total Agreement amount not to exceed \$1,100,000 to continue to provide permit application review services and extend the expiration date from August 16, 2017 for one (1) additional year through August 16, 2018, for a revised term from August 16, 2013 to August 16, 2018; and
- c. Authorized the Contracts/Purchasing Officer or the Contracts/Purchasing Supervisor to execute Amendment No. 3 to Agreement No. A-12490 and Amendment No. 2 to Agreement No. A-12548.

PASSED AND ADOPTED this 11th day of July 2017, by the following vote, to wit:

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

NOES: None

ABSENT: None

I, Gail T. Borkowski, 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 July 11, 2017.

Dated: July 24, 2017
File ID: 17-0716

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By

Deputy

**AMENDMENT NO. 2
TO AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
RINCON CONSULTANTS, INC.**

THIS AMENDMENT NO. 2 to the Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and Rincon Consultants, 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 an Agreement with County on August 16, 2013 (hereinafter, "Agreement") to provide permit application review services (hereinafter, "services") through August 16, 2016 with the option to extend the Agreement for two (2) additional one (1) year period(s), for an amount not to exceed \$100,000 per fiscal year (FY) for a total amount not to exceed \$300,000 for the initial three (3) year term in accordance with the terms and conditions of the Agreement; and

WHEREAS, Agreement was amended by the Parties on June 28, 2016 (hereinafter, "Amendment No. 1", including Attachment A-1 – Revised Pricing Sheet, effective August 17, 2016) to extend the term for one (1) additional year through August 16, 2017, to update the Pricing Sheet, and to maintain the not to exceed amount at \$100,000 per FY for the initial three (3) year term and approve an optional additional one (1) year extension with the cost for services during that period not to exceed \$500,000, which resulted in a total not to exceed amount of \$800,000; and; and

WHEREAS, the County has a continued need for services; 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 through August 16, 2018, and to increase the cost for services by \$300,000 for FY 2017-18, for a total not to exceed amount of \$1,100,000 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 Paragraph 3.1 under Section 3.0, "Term of Agreement", to read as follows:

The term of the AGREEMENT will be from August 16, 2013 to August 16, 2018.

2. Amend Paragraph 4.1 under Section 4.0, "Compensation and Payments", to read as follows:

It is mutually understood and agreed by both Parties that the CONTRACTOR shall be compensated under this AGREEMENT in accordance with the pricing sheet attached hereto as Attachments A and A-1. The total amount of this AGREEMENT shall not exceed \$100,000 per fiscal year for the initial three (3) year term of this AGREEMENT. Additionally, the total amount of this AGREEMENT shall not exceed \$500,000 for the first additional one (1) year period extension and shall not exceed \$300,000 for the second additional one (1) year period extension beyond the initial term for a total AGREEMENT amount not to exceed \$1,100,000.

3. Amend Paragraph 18.2 under Section 18.0, "Notices" to read as follows:

Notices mailed or faxed to the parties shall be addressed as follows:

TO COUNTY:

Brandon Swanson
RMA Services Manager
County of Monterey, Resource Management Agency
1441 Schilling Place, South 2nd Floor
Salinas, California 93901-4527
Phone: (831) 755-5334
Fax: (831) 755-4958
Email: swansonb@co.monterey.ca.us

TO CONTRACTOR:

Megan Jones, MPP
Senior Program Manager
Rincon Consultants, Inc
437 Figueroa Street, Suite 203
Monterey, California 93940
Phone: (831) 333-0310
Fax: (831) 333-0340
Email: mjones@rinconconsultants.com

4. In all places within the Agreement, any reference to the County's address at 168 West Alisal Street, 2nd Floor, Salinas, California 93901, is hereby replaced with 1441 Schilling Place, South 2nd Floor, Salinas, California 93901-4527.
5. All other terms and conditions of the Agreement remain unchanged and in full force.
6. This Amendment No. 2 and the previous amendment shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
7. 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: _____

Contracts/Purchasing Officer

Date: _____

7-25-17

Approved as to Form and Legality
Office of the County Counsel

By: _____

Brian P. Briggs
Deputy County Counsel

Date: _____

6-27-17

Approved as to Fiscal Provisions

By: _____

Auditor/Controller

Date: _____

6-28-17

Approved as to Indemnity and Insurance Provisions

By: _____

Risk Management

Date: _____

CONTRACTOR*

Rincon Consultants, Inc.

Contractor's Business Name

By: _____

(Signature of Chair, President or Vice President)

Its: _____

(Print Name and Title)

Date: _____

6/23/2017

By: _____

(Signature of Secretary, Asst. Secretary, CFO,
Treasurer or Assistant Treasurer)

Its: _____

(Print Name and Title)

Date: _____

June 23, 2017

*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. 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. 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.