



Monterey County Board of Supervisors

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Board Order

A motion was made by Supervisor Mary L. Adams, seconded by Supervisor Luis A. Alejo to:

Agreement No.: A-12648; Amendment No.: 4

- a. Approve Amendment No. 4 to Professional Services Agreement No. A-12648 with Wood Environment & Infrastructure Solutions, Inc. (formerly Amec Foster Wheeler Environment & Infrastructure, Inc.) to continue to provide consulting engineering services for the San Lucas Water District Public Water Supply Replacement Project, under Request for Qualifications (RFQ) #10433, to extend the expiration date for approximately seventeen (17) additional months through June 30, 2022, for a revised term from February 19, 2014 to June 30, 2022, with no associated dollar amount increase to the total not to exceed amount of \$440,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to Professional Services Agreement No. A-12648; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute up to three (3) future amendments to Professional Services Agreement No. A-12648 to extend the term beyond the original term authorized in Request for Proposals #10433 where the amendments do not significantly alter the scope of work or increase the approved Agreement amount, subject to review and approval by the Office of the County Counsel as to form.

PASSED AND ADOPTED on this 9th day of February 9, 2021, by roll call vote:

AYES: Supervisors Alejo, Phillips, 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 February 9, 2021.

Dated: February 10, 2021
File ID: A 21-033
Agenda Item No.: 40

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


Julian Lorenzana, Deputy

**AMENDMENT NO. 4
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
WOOD ENVIRONMENT & INFRASTRUCTURE SOLUTIONS, INC.**

THIS AMENDMENT NO. 4 to Professional Services Agreement No. A-12648 between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and Wood Environment & Infrastructure Solutions, 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's predecessor in interest, Amec Foster Wheeler Environment & Infrastructure, Inc., entered into Professional Services Agreement No. A-12648 with County on February 19, 2014 (hereinafter, "Agreement") to provide a variety of tasks related to the analysis of alternatives, selection of a Preferred Option, preparation of pre-environmental design, environmental review, final engineering, right-of-way acquisition, and permitting to provide a new permanent long-term public water supply (hereinafter, "services") for the San Lucas Water District Public Water Supply Replacement Project (hereinafter, "Project") through September 30, 2016 with the option to extend the Agreement for two (2) additional one (1) year period(s) for an amount not to exceed \$440,000; and

WHEREAS, Agreement expired pursuant to its terms on September 30, 2016; and

WHEREAS, Agreement was renewed and amended by the Parties on November 17, 2016 (hereinafter, "Renewal and Amendment No. 1") to renew the term retroactive to September 30, 2016 for approximately seventeen (17) additional months through February 19, 2018 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on February 6, 2018 (hereinafter, "Amendment No. 2") to extend the term for one (1) additional year through February 19, 2019 with no increase in the not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on March 14, 2019 (hereinafter, "Amendment No. 3") to update the "Indemnification for Design Professional Services Claims" provision of the Agreement and to extend the term for two (2) additional years through February 19, 2021 with no increase in the not to exceed amount; and

WHEREAS, additional funding is pending from the State Water Resources Control Board (SWRCB) to complete the Project; and

WHEREAS, additional time is necessary to receive anticipated funds from SWRCB and to allow the Parties to modify scope and budget to allow CONTRACTOR to continue to provide services for completion of the Project; and

Amendment No. 4 to Professional Services Agreement No. A-12648
Wood Environment & Infrastructure Solutions, Inc.
San Lucas Water District Public Water Supply Project (RFQ #10433)
Housing and Community Development
Term: February 19, 2014 – June 30, 2022
Not to Exceed: \$440,000

WHEREAS, County has a continued need for services beyond the anticipated five (5) year Agreement term allowed per Request for Qualifications (RFQ) #10433; and

WHEREAS, the Parties wish to further amend the Agreement to extend the term for approximately seventeen (17) additional months to June 30, 2022 with no associated dollar amount increase to allow CONTRACTOR to continue to provide services identified in the Agreement and as amended by this Amendment No. 4.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. In all places within the Agreement, and any amendment thereto, any reference to Amec Foster Wheeler Environment & Infrastructure, Inc. is hereby replaced with Wood Environment & Infrastructure Solutions, Inc.
2. Amend the first sentence of Paragraph 3, "Term of Agreement", to read as follows:

The term of this Agreement is from February 19, 2014 to June 30, 2022, unless sooner terminated pursuant to the terms of this Agreement.
3. In all places within the Agreement, any reference to County's email address of RMA-Finance-AP-GP@co.monterey.ca.us for invoicing, is hereby replaced with RMA-Finance-AP@co.monterey.ca.us.
4. All other terms and conditions of the Agreement, including all Exhibits thereto, remain unchanged and in full force and effect.
5. This Amendment No. 4 and all previous amendments shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
6. The recitals to this Amendment No. 4 are incorporated into the Agreement and this Amendment No. 4.

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IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 4 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

CONTRACTOR*

By: DocuSigned by:
Michael R. Derr
367942E6F649429
Contracts/Purchasing Officer

Date: 2/11/2021

Wood Environment & Infrastructure Solutions, Inc.
Contractor's Business Name

By: Will H. Sell
(Signature of Chair, President or Vice President)

Its: Kendall H Sherrill, SVP Finance
(Print Name and Title)

Date: January 27, 2021

Approved as to Form
Office of the County Counsel-Risk Manager
Leslie J. Girard, County Counsel-Risk Manager

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

By: DocuSigned by:
Brian Briggs
2926AA5CB79F476
Brian P. Briggs
Deputy County Counsel

Its: Brad Knight, Secretary
(Print Name and Title)

Date: 2/11/2021

Date: 1/26/2021

Approved as to Final Provisions

By: DocuSigned by:
Gary Giboney
D3834BFEC1D8449
Auditor/Controller

Date: 2/11/2021

Approved as to Indemnity and Insurance Provisions
Office of the County Counsel-Risk Manager

By: Leslie J. Girard
County Counsel-Risk Manager

Date: _____

*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) managers. 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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