

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-12567

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

- a. Approved Amendment No. 4 to Professional Services Agreement No. A-12567 with Schaaf and Wheeler and Amendment No. 4 to Professional Services Agreement No. A-12577 with Wallace Group to continue to provide services associated with on-call County Service Area (CSA)/County Sanitation District (CSD) engineering services (Request for Qualifications No. 10249) to extend the expiration date from January 25, 2017 for one (1) additional year through January 25, 2018, for a revised term from January 25, 2012 to January 25, 2018, with no associated dollar amount increase to the total not to exceed amount of \$200,000 for the respective Professional Services Agreement; and
- b. Approved Amendment No. 4 to Professional Services Agreement, with Whitley Burchett & Associates, Inc. to continue to provide Services associated with on-call County Services Area (CSA)/County Sanitation District (CSD) engineering services (Request for Qualifications No. 10249) to extend the expiration date from January 25, 2017 for one (1) additional year through January 25, 2018, for a revised term from January 25, 2012 to January 25, 2018, with no associated dollar amount increase to the total not to exceed amount of \$100,000 for said Agreement; and
- c. Authorized the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to each Professional Services Agreement; and
- d. Authorized the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute future amendments which extend the term beyond the original term authorized in Request for Qualifications No. 10249 where the amendments do not significantly alter the scope of work or change the approved amount of the respective Professional Services Agreement.

PASSED AND ADOPTED on this 10th day of January 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 79 for the meeting on January 10, 2017.

Dated: January 19, 2017
File ID: 17-0009

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

By

Deputy

**AMENDMENT NO. 4
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
WALLACE GROUP**

THIS AMENDMENT NO. 4 to the Professional Services Agreement between the County of Monterey, a political subdivision of the State of California (hereinafter, "County") and Wallace Group (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 February 1, 2012 (hereinafter, "Agreement") to provide on-call County Service Area (CSA)/County Sanitation District (CSD) engineering services through January 25, 2014 for an amount not to exceed \$100,000; and

WHEREAS, Agreement was amended by the Parties on October 7, 2013 (hereinafter, "Amendment No. 1", including Exhibit B-1 – Federal Provisions) to revise Exhibit B – Federal Provisions, to extend the term for one (1) additional year through January 25, 2015, and to increase the Agreement amount by \$100,000 which resulted in a not to exceed amount of \$200,000; and

WHEREAS, Agreement was amended by the Parties on September 8, 2014 (hereinafter, "Amendment No. 2") to extend the term for one (1) additional year through January 25, 2016 with no increase to the Agreement's not to exceed amount; and

WHEREAS, Agreement was amended by the Parties on October 30, 2015 (hereinafter, "Amendment No. 3") to extend the term for one (1) additional year through January 25, 2017 with no increase to the Agreement's not to exceed amount; and

WHEREAS, the County has a continued need for on-call CSA/CSD engineering services; and

WHEREAS, the Parties wish to further amend the Agreement to extend the term for one (1) additional year to January 25, 2018 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. Amend the first sentence of Paragraph 3, "Term of Agreement", to read as follows:

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Amendment No. 4 to Professional Services Agreement
Wallace Group
On-Call CSA/CSD Engineering Services (RFQ #10249)
RMA – Public Works
Term: January 25, 2012 – January 25, 2018
Not to Exceed: \$200,000.00

The term of this Agreement is from January 25, 2012 to January 25, 2018, unless sooner terminated pursuant to the terms of this Agreement.

2. Invoices under this Agreement shall be submitted monthly and promptly, and in accordance with Paragraph 6, "Payment Conditions", of the Agreement. All invoices shall reference the Multi-Year Agreement (MYA) number #MYA 3000*267, project name and associated Purchase Order number, and an original hardcopy shall be sent to the following:

County of Monterey
Resource Management Agency (RMA) – Finance Division
168 West Alisal Street, 2nd Floor
Salinas, California 93901

Any questions pertaining to invoices under this Agreement shall be directed to the RMA Finance Division at (831) 755-4800.

3. All other terms and conditions of the Agreement remain unchanged and in full force.
4. 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.
5. The recitals to this Amendment No. 4 are incorporated into the Agreement and this Amendment No. 4.

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

By: [Signature]
Contracts/Purchasing Officer

Date: 1-30-17

**Approved as to Form and Legality
Office of the County Counsel**

By: [Signature]
Mary Grace Perry
Deputy County Counsel

Date: 11-18-16

Approved as to Fiscal Provisions

By: [Signature]
Auditor/Controller

Date: 11-18-16

Approved as to Indemnity and Insurance Provisions

By: _____
Risk Management

Date: _____

CONTRACTOR*

Wallace Group

Contractor's Business Name

By: [Signature]

(Signature of Chair, President or Vice President)
John L. Wallace, PE 33905

Its: President
(Print Name and Title)

Date: 11/16/16

By: [Signature]

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

Its: Thomas K. Zehnder, PE 72702
(Print Name and Title) CFO

Date: 11/16/16

*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.