



Legislation Details (With Board Report)

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|----------------------|---------------|----------------------|---------------------------------|
| File #: | A 12-128 | Name: | PMC - Ferrini Ranch Subdivision |
| Type: | BoS Agreement | Status: | Passed |
| File created: | 6/11/2012 | In control: | Board of Supervisors |
| On agenda: | 6/26/2012 | Final action: | 6/26/2012 |

Title: a. Approve Amendment No. 9 to Professional Services Agreement No. A-10547 with Pacific Municipal Consultants (PMC) where the Base Budget is increased by \$14,880.00 to \$485,554.00 with no Contingency increase to the amount of \$80,562.00, for a total amount not to exceed \$566,116.00 to provide new additional tasks associated with the completion of the Environmental Impact Report (EIR) for the Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through February 28, 2013; and
b. Approve Amendment No. 9 to Reimbursement Agreement No. A-10548 with Domain Corporation where the Base Budget is increased by \$14,880.00 to \$485,554.00 and the County Surcharge is increased by \$7,142.40 to \$231,626.40, with no Contingency increase to the amount of \$80,562.00, for a total amount not to exceed \$797,742.40 to allow reimbursement to Monterey County for costs incurred by PMC and County departments to provide new additional tasks associated with the completion of the EIR for the Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through February 28, 2013; and
c. Authorize the Director of Planning to execute Amendment No. 9 to Professional Services Agreement No. A-10547, Amendment No. 9 to Reimbursement Agreement No. A-10548 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Amendment No. 9 to PSA, 2. Attachment B - Amendment No. 9 to RA, 3. Completed Board Order, 4. Fully Executed Agreement, Amendment No. 9 to RA between CoMo & Domain Corporation, 5. Fully Executed Agreement, Amendment No. 9 PSA Pacific Municipal Consultants, 6. Fully Executed Agreement, Amendment No. 10 Pacific Municipal Consultants, 7. Fully Executed Agreement, Amendment No. 10 Domain Corporation

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 6/26/2012 | 1 | Board of Supervisors | approved | |

a. Approve Amendment No. 9 to Professional Services Agreement No. A-10547 with Pacific Municipal Consultants (PMC) where the Base Budget is increased by \$14,880.00 to \$485,554.00 with no Contingency increase to the amount of \$80,562.00, for a total amount not to exceed \$566,116.00 to provide new additional tasks associated with the completion of the Environmental Impact Report (EIR) for the Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through February 28, 2013; and
b. Approve Amendment No. 9 to Reimbursement Agreement No. A-10548 with Domain Corporation where the Base Budget is increased by \$14,880.00 to \$485,554.00 and the County Surcharge is increased by \$7,142.40 to \$231,626.40, with no Contingency increase to the amount of \$80,562.00, for a total amount not to exceed \$797,742.40 to allow reimbursement to Monterey County for costs incurred by PMC and County departments to provide new additional tasks associated with the completion of the EIR for the Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through February 28, 2013; and
c. Authorize the Director of Planning to execute Amendment No. 9 to Professional Services Agreement No. A-

10547, Amendment No. 9 to Reimbursement Agreement No. A-10548 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 9 to Professional Services Agreement No. A-10547 with Pacific Municipal Consultants (PMC) where the Base Budget is increased by \$14,880.00 to \$485,554.00 with no Contingency increase to the amount of \$80,562.00, for a total amount not to exceed \$566,116.00 to provide new additional tasks associated with the completion of the Environmental Impact Report (EIR) for the Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through February 28, 2013; and
- b. Approve Amendment No. 9 to Reimbursement Agreement No. A-10548 with Domain Corporation where the Base Budget is increased by \$14,880.00 to \$485,554.00 and the County Surcharge is increased by \$7,142.40 to \$231,626.40, with no Contingency increase to the amount of \$80,562.00, for a total amount not to exceed \$797,742.40 to allow reimbursement to Monterey County for costs incurred by PMC and County departments to provide new additional tasks associated with the completion of the EIR for the Ferrini Ranch Subdivision (PLN040758) in the Toro Area Plan area near Salinas, for a term through February 28, 2013; and
- c. Authorize the Director of Planning to execute Amendment No. 9 to Professional Services Agreement No. A-10547, Amendment No. 9 to Reimbursement Agreement No. A-10548 and future amendments to these Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

SUMMARY/DISCUSSION:

An increased budget has been negotiated to include new additional tasks associated with the completion of the EIR for the Ferrini Ranch Subdivision. Amendment No. 9 to Professional Services Agreement No. A-10547 (PSA) and Amendment No. 9 to Reimbursement Agreement No. A-10548 (RA) provide reimbursement for these new additional tasks and will increase the PSA by \$14,880.00 (\$14,880.00 base budget plus a \$0 contingency fee), for a total amount not to exceed \$566,116.00 and will increase the RA by \$22,022.40 (\$14,880.00 base budget plus a \$0 contingency fee and \$7,142.40 for surcharge), for a total amount not to exceed \$797,742.40 through February 28, 2013.

Synopsis of PSA and RA:

| Agreement/ Amendment | BOS Approval | Director Approval | Budget for Agreements | | | Total Amount of Agreement | |
|-------------------------|----------------------|----------------------|--------------------------|---------------------|-------------------|---------------------------|---------------|
| | | | Bas e Bu dget | Continge n ce | Sur cha rge | PSA | RA |
| PSA RA | 07/11/06 07/11/06 | 07/21/06 07/21/06 | \$ 440,966 | \$ 66,143 | \$ 211,666 | \$ 507,113.00 | \$ 718,778.00 |
| 1 - PSA 1 - RA | 07/11/06 07/11/06 | 07/21/06 07/21/06 | \$ -9,094 | \$ -1,364 | \$ -4,365 | \$ -10,458.00 | \$ -14,823.00 |

| | | | | | | | | | |
|--------------------|--------------------|----------------------|---|-----------|------------|---------------|---------------|--|--|
| | | | Extended Term of PSA and RA to December 31, 2007 | | | | | | |
| 2 - PSA 2 - RA | N/A N/A | 12/31/07 12/31/07 | Extended Term of PSA and FA to September 30, 2008 | | | | | | |
| 3 - PSA 3 - RA | N/A N/A | 10/21/08 10/21/08 | Extended Term of PSA and RA to March 31, 2009 | | | | | | |
| 4 - PSA 4 - RA | N/A N/A | 04/01/09 04/09/09 | Extended Term of PSA and RA to December 31, 2009 | | | | | | |
| 5 - PSA 5 - RA | N/A N/A | 12/10/09 12/10/09 | Extended Term of PSA and RA to September 30, 2010 | | | | | | |
| 6 - PSA 6 - RA | N/A N/A | 09/22/10 09/22/10 | Extended Term of PSA and RA to April 30, 2011 | | | | | | |
| 7 - PSA 7 - RA | N/A N/A | 04/29/11 04/29/11 | \$ 38,800 | \$ 15,781 | \$ 17,184 | \$ 54,581.00 | \$ 71,765.00 | | |
| | | | Extended Term of PSA and RA to April 30, 2012 | | | | | | |
| 8 - PSA 8 - RA | N/A N/A | 05/03/12 05/03/12 | Extended Term of PSA and RA to February 28, 2013 | | | | | | |
| 9 - PSA 9 - RA | Pending Pending | Pending Pending | \$ 14,880 | \$ 0.00 | \$ 7,142 | \$ 14,880.00 | \$ 22,022.40 | | |
| GRAND TOTAL | | | \$ 485,538 | \$ 80,562 | \$ 231,628 | \$ 566,116.00 | \$ 797,742.40 | | |

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller Office have reviewed and approved Amendment No. 9 as to form and legality, and fiscal provisions, respectively.

FINANCING:

Pursuant to the terms of the RA with Domain Corporation, Project Applicant, and the County, the expenses of PMC and County departments to complete the EIR associated with the Ferrini Ranch Subdivision will be reimbursed through budgets established in the RA with the Project Applicant. There will be no impact to the General Fund.

Prepared by: David Mack, Associate Planner, Ext. 5096
 Approved by: Mike Novo, Director, RMA-Planning, ext. 5192
 <mailto:> Benny Young, Director Resource Management Agency

This report was prepared with assistance by Shelley Dickinson, Management Analyst.

cc: Front Counter Copy; California Coastal Commission (if applicable); Mike Novo; Shelley Dickinson, Management Analyst; Applicant/Owner Bollenbacher and Kelton; Pacific Municipal Consultants; The Open Monterey Project; LandWatch; Project File PLN040758 and PD060591

The following attachments are on file with the Clerk of the Board:

- Attachment A Amendment No. 9 to Professional Services Agreement
- Attachment B Amendment No. 9 to Reimbursement Agreement