



Legislation Details (With Board Report)

**File #:** 12-974      **Name:** Benchmark Land Use Group  
**Type:** General Agenda Item      **Status:** Passed  
**File created:** 10/10/2012      **In control:** Board of Supervisors  
**On agenda:** 10/23/2012      **Final action:** 10/23/2012

**Title:** a. Approve Amendment No. 1 to Professional Services Agreement No. A-11561 with Benchmark Land Use Group, Inc. (d.b.a. Benchmark Resources) to continue to provide tasks associated with State of California Surface Mining and Reclamation Act (SMARA) annual inspections and assistance with the Office of Mine Reclamation’s (OMR) Lead Agency Review Team (LART) report for the County of Monterey Resource Management Agency - Planning Department, in the amount of \$46,773.50 for a total amount not to exceed \$175,473.50 and extend the term to November 3, 2013; and  
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-11561 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.  
Permit Type: PD060230/Contract and PD090745/SMARA State of California Surface Mining and Reclamation Act (SMARA) annual inspections (Request for Proposal No. 10209)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment A, 2. Completed Board Order, 3. Fully Executed Agreement

Date	Ver.	Action By	Action	Result
10/23/2012	1	Board of Supervisors	approved	

a. Approve Amendment No. 1 to Professional Services Agreement No. A-11561 with Benchmark Land Use Group, Inc. (d.b.a. Benchmark Resources) to continue to provide tasks associated with State of California Surface Mining and Reclamation Act (SMARA) annual inspections and assistance with the Office of Mine Reclamation’s (OMR) Lead Agency Review Team (LART) report for the County of Monterey Resource Management Agency - Planning Department, in the amount of \$46,773.50 for a total amount not to exceed \$175,473.50 and extend the term to November 3, 2013; and  
b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-11561 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.  
**Permit Type:** PD060230/Contract and PD090745/SMARA State of California Surface Mining and Reclamation Act (SMARA) annual inspections (Request for Proposal No. 10209)

**PROJECT INFORMATION:**

Planning File Number: PD060230/PD090745  
Consultant: Benchmark Land Use Group, Inc. (d.b.a. Benchmark Resources)  
Project Location: County-wide  
Planner: Taven M. Kinison Brown, Senior Planner  
Plan Area: County-wide

**RECOMMENDATION:**

It is recommended that the Board of Supervisors:  
a. Approve Amendment No. 1 to Professional Services Agreement No. A-11561 with Benchmark Land Use Group, Inc. (d.b.a. Benchmark Resources) to continue to provide tasks associated with State of

California Surface Mining and Reclamation Act (SMARA) annual inspections and assistance with the Office of Mine Reclamation's (OMR) Lead Agency Review Team (LART) report for the County of Monterey Resource Management Agency - Planning Department, in the amount of \$46,773.50 for a total amount not to exceed \$175,473.50 and extend the term to November 3, 2013; and

- b. Authorize the Contracts/Purchasing Officer to execute Amendment No. 1 to Professional Services Agreement No. A-11561 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount.

SUMMARY/DISCUSSION:

On November 3, 2009, the Board of Supervisors approved Professional Services Agreement (PSA) No. A-11561 with Resource Design Technology in the amount of \$128,700.00 to provide SMARA annual inspections for the County of Monterey Resource Management Agency - Planning Department (RFP #10209) for a period of three (3) years, from November 3, 2009 to November 3, 2012.

On June 7, 2011, the Contracts/Purchasing Officer executed a County Consent to Assignment for PSA No. A-11561 whereby Resource Design Technology transferred rights, title and interest in the PSA to Benchmark Land Use Group, Inc. (d.b.a. Benchmark Resources) effective as of May 1, 2010.

Amendment No. 1 to PSA No. A-11561 provides for an additional year of SMARA annual inspections required by the State of California and provides for assistance with the OMR's LART report while a new Request for Qualifications is completed to select a Consultant to perform the services as required. Amendment No. 1 will increase this PSA by \$46,773.50 for a total amount not to exceed \$175,473.50 and extend the term to November 3, 2013.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the Amendment No. 1 to the PSA as to form and legality, and fiscal provisions, respectively:

Office of the County Counsel  
Auditor-Controller's Office

FINANCING:

There is no impact to the General Fund as a result of this action. The expenditures incurred are offset by inspection fees. The FY 2012-13 approved budget for the RMA - Planning Department, Unit 8172, Appropriation RMA001, included both the expenditure of \$46,773.50 and offsetting revenues from annual inspection fees paid by mine operators to the County.

Prepared by:

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Taven M. Kinison Brown, Senior Planner  
RMA - Planning Department

Approved by:

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Mike Novo, Director, RMA - Planning

Benny J. Young, P.E.  
Resource Management Agency Director

This report was prepared with assistance by Shelley Dickinson, Management Analyst I, and reviewed by Dalia M. Mariscal-Martinez, Management Analyst II, and Shawne Ellerbee, RMA Administration and Finance Manager.

Attachment A: Amendment No. 1 to Professional Services Agreement No. A-11561 with Benchmark Land Use Group, Inc. (d.b.a. Benchmark Resources)