



# County of Monterey

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Legislation Details (With Board Report)

<b>File #:</b>	A 19-223	<b>Name:</b>	Amendment No. 5 with Michael Baker and Amendment No. 4 with Rincon
<b>Type:</b>	BoS Agreement	<b>Status:</b>	Passed - RMA Land Use and Community Development
<b>File created:</b>	6/4/2019	<b>In control:</b>	Board of Supervisors
<b>On agenda:</b>	6/18/2019	<b>Final action:</b>	6/18/2019
<b>Title:</b>	a. Approve Amendment No. 5 to Agreement No. A-12490 with Michael Baker International, Inc. to: update the Pricing Sheet; extend the expiration date for one (1) additional year to June 30, 2020; and approve a not to exceed amount of \$100,000 for fiscal year (FY) 2019 - 2020 to provide on-call services associated with permit application review services subject to funding allocation (Request for Qualifications #10382); b. Approve Amendment No. 4 to Agreement No. A-12548 with Rincon Consultants to: update the Pricing Sheet; extend the expiration date for one (1) additional year to June 30, 2020; and approve a not to exceed amount of \$100,000 for fiscal year (FY) 2019 - 2020 to provide on-call services associated with permit application review services subject to funding allocation and c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to Agreement No. A-12490 and Amendment No. 4 to Agreement No. A-12548.		

### Sponsors:

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### Code sections:

**Attachments:** 1. Board Report, 2. Attachment A - Amendment No. 5 to Agreement with MBI, 3. Attachment B - Amendment No. 4 to Agreement with Rincon, 4. Attachment C - Amendment No. 4 to Agreement with MBI, 5. Attachment D - Amendment No. 3 to Agreement with MBI, 6. Attachment E - Amendment No. 2 to Agreement with MBI, 7. Attachment F - Amendment No. 1 to Agreement with MBI, 8. Attachment G - Agreement with MBI, 9. Attachment H - Amendment No. 3 to Agreement with Rincon, 10. Attachment I - Amendment No. 2 to Agreement with Rincon, 11. Attachment J - Amendment No. 1 to Agreement with Rincon, 12. Attachment K - Agreement with Rincon, 13. Attachment L - Summary of Agreements, 14. Attachment M - Summary of Agreement Annual Expenditures & Balance, 15. 75. Completed Board Order, 16. Fully Executed Agreement Between Monterey County and Michael Baker International, Inc. Amendment No. 5, 17. Fully Executed Agreement Between Monterey County and Rincon Consultants, Inc. Amendment No. 4, 18. Fully Executed Agreement (A 19-223)

Date	Ver.	Action By	Action	Result
6/18/2019	1	Board of Supervisors	approved - rma land use and community development	Pass

a. Approve Amendment No. 5 to Agreement No. A-12490 with Michael Baker International, Inc. to: update the Pricing Sheet; extend the expiration date for one (1) additional year to June 30, 2020; and approve a not to exceed amount of \$100,000 for fiscal year (FY) 2019 - 2020 to provide on-call services associated with permit application review services subject to funding allocation (Request for Qualifications #10382);  
b. Approve Amendment No. 4 to Agreement No. A-12548 with Rincon Consultants to: update the Pricing Sheet; extend the expiration date for one (1) additional year to June 30, 2020; and approve a not to exceed amount of \$100,000 for fiscal year (FY) 2019 - 2020 to provide on-call services associated with permit application review services subject to funding allocation and  
c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to Agreement No. A-12490 and Amendment No. 4 to Agreement No. A-12548.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 5 to Agreement No. A-12490 with Michael Baker International, Inc. to: update the Pricing Sheet; extend the expiration date for one (1) additional year to June 30, 2020; and approve a not to exceed amount of \$100,000 for fiscal year (FY) 2019 - 2020 to provide services associated with permit application review services if funding is available (Request for Qualifications #10382);
- b. Approve Amendment No. 4 to Agreement No. A-12548 with Rincon Consultants to: update the Pricing Sheet; extend the expiration date for one (1) additional year to June 30, 2020; and approve a not to exceed amount of \$100,000 for fiscal year (FY) 2019 - 2020 to provide services associated with permit application review services if funding is provided and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to Agreement No. A-12490 and Amendment No. 4 to Agreement No. A-12548.

#### SUMMARY:

Resource Management Agency (RMA) has established several on-call agreements in order to have on-call specialized services when County staff lacks the expertise or when the volume of work exceeds capacity. These on-call agreements are utilized across the RMA, and at times used by other County Departments.

Actions include increasing the contract capacity by \$100,000. However, while RMA submitted an augmentation for FY 2019/20, there currently is no funding for outside services. Application fees serve as revenue that is accounted for in the RMA budget, so funding needs to come from another source. RMA requests approval of these extensions as a placeholder for if/when funding becomes available.

RMA - Land Use and Community Development is responsible for providing permit application review services on all permitted projects. There currently are two (2) Agreements with outside contractors [Agreement No. A-12490 with Michael Baker International, Inc. (MBI) and Agreement No. A-12548 with Rincon Consultants, Inc. (Rincon)] to provide permit application review services on an “as-needed” basis. These agreements were initiated in 2013 and have been extended to June 30, 2019. Staff is recommending an extension for one (1) additional year (June 2020) while staff works to procure similar services under a new RFQ.

#### DISCUSSION:

RMA Planning has a significant backlog of permit applications due in part to recurring staff vacancies over the past couple of years. Currently, there are four key positions that RMA is working to fill: Chief of Planning, Planning Services Manager, and two Associate/Assistant Planner positions. Recruitments have closed for all of these positions, but best-case scenario, successful candidates will not be installed and working at a functional level for at least six (6) months. The RMA has identified a need to continue contracts with MBI and Rincon to assist the RMA’s Planning staff to process permit applications. However, as part of the FY2019-2020 recommended budget, there is no funding for contracted planning services. There is however, an augmentation request going before the Board to provide funding for these services. If the contracts are extended, these services will remain available, but will only be utilized if the augmentation request is approved, or an applicant provides funding to fully cover the cost of the services.

Amendment No. 5 to the Agreement with MBI and Amendment No. 4 to the Agreement with Rincon will update the Pricing Sheet, effective July 1, 2019; increase the amount of each Agreement by \$100,000 for fiscal year 2019 - 2020, for a total amount not to exceed \$1,300,000 (each); and extend the expiration date from June 30, 2019 for one (1) additional year through June 30, 2020, which revises the term of each Agreement beyond the anticipated five (5) year term allowed per RFQ #10382, while County staff works to procure these services under a new RFQ. Staff had intended to solicit an RFQ last fiscal year, but was unable to do so in part because of turnover at the management level, but also due to competing priorities. Currently, RMA staff is proceeding with an RFQ to ensure competitive bidding practices are followed. This RFQ process will be implemented prior to the expiration of these extended Agreements.

Attachment L provides a summary of each Agreement to date. Attachment M provides a summary of the annual expenditures and balance for each Agreement.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and Auditor-Controller's Office have reviewed and approved Amendment No. 5 to the Agreement with MBI and Amendment No. 4 to the Agreement with Rincon as to form and legality, and fiscal provisions, respectively.

FINANCING:

The FY 2019-20 recommended budget did not include appropriations for on-call contract services for permit application review. An augmentation request was considered by the Board of Supervisors during budget hearings on June 3, 2019 and the Board approved an increase in appropriations of \$200,000 to the FY 2019-20 budget for planning on-call services. These contracts will only be utilized if there is funding included in the adopted budget to fully cover the cost of the contracted services or an applicant provides funding to fully cover costs of services. RMA Finance closely monitors the appropriations and will only authorize use of these contracts if funds are available to fully cover costs of service.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents the County's effective and timely response to RMA customer requests for permits. Having the ability to process applications in accordance with all applicable policies and regulations also provides the County accountability for proper management of its land resources.

- ☒ Economic Development
- ☒ Administration
- ☐ Health and Human Services
- ☐ Infrastructure
- ☐ Public Safety

Prepared by: Brandon Swanson, RMA Interim Chief of Planning, x5334

Reviewed by: John M. Dugan, FAICP, RMA Deputy Director of Land Use and Community Development

Approved by: Carl P. Holm, AICP, RMA Director

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

- Attachment A - Amendment No. 5 to Agreement with MBI
- Attachment B - Amendment No. 4 to Agreement with Rincon
- Attachment C - Amendment No. 4 to Agreement with MBI
- Attachment D - Amendment No. 3 to Agreement with MBI
- Attachment E - Amendment No. 2 to Agreement with MBI
- Attachment F - Amendment No. 1 to Agreement with MBI
- Attachment G - Agreement with MBI
- Attachment H - Amendment No. 3 to Agreement with Rincon
- Attachment I - Amendment No. 2 to Agreement with Rincon
- Attachment J - Amendment No. 1 to Agreement with Rincon
- Attachment K - Agreement with Rincon
- Attachment L - Summary of Agreements
- Attachment M - Summary of Agreements Annual Expenditures and Balance

