



County of Monterey

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

Legislation Details (With Board Report)

File #:	A 20-508	Name:	Approve Amendment No. 5 to Agreement No. A-12548 with Rincon Consultants, Inc.
Type:	BoS Agreement	Status:	Passed - RMA Administration
File created:	11/24/2020	In control:	Board of Supervisors
On agenda:	12/8/2020	Final action:	12/8/2020
Title:	a. Approve Amendment No. 5 to Agreement No. A-12548 with Rincon Consultants, Inc. to provide additional funding to pay the Contractor for previously rendered services in the amount of \$5,169 which will increase the not to exceed amount by \$5,169 to \$105,169 for fiscal year (FY) 2019-2020 for on-call services associated with permit application review services (Request for Qualifications #10382) retroactive to April 14, 2020 for a term through June 30, 2020; and b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to Agreement No. A-12548.		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A – Summary of Agreement, 3. Attachment B – Summary of Agreement Annual Expenditures and Balance, 4. Attachment C – Amendment No. 5 to Agreement with Rincon, 5. Attachment D – Amendment No. 4 to Agreement with Rincon, 6. Attachment E – Amendment No. 3 to Agreement with Rincon, 7. Attachment F – Amendment No. 2 to Agreement with Rincon, 8. Attachment G – Amendment No. 1 to Agreement with Rincon, 9. Attachment H – Agreement with Rincon, 10. Item No. 73 Completed Board Order, 11. Executed A5 to the Agreement with Rincon 011421

Date	Ver.	Action By	Action	Result
12/8/2020	1	Board of Supervisors		

a. Approve Amendment No. 5 to Agreement No. A-12548 with Rincon Consultants, Inc. to provide additional funding to pay the Contractor for previously rendered services in the amount of \$5,169 which will increase the not to exceed amount by \$5,169 to \$105,169 for fiscal year (FY) 2019-2020 for on-call services associated with permit application review services (Request for Qualifications #10382) retroactive to April 14, 2020 for a term through June 30, 2020; and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to Agreement No. A-12548.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Approve Amendment No. 5 to Agreement No. A-12548 with Rincon Consultants, Inc. to provide additional funding to pay the Contractor for previously rendered services in the amount of \$5,169 which will increase the not to exceed amount by \$5,169 to \$105,169 for fiscal year (FY) 2019-2020 for on-call services associated with permit application review services (Request for Qualifications #10382) retroactive to April 14, 2020 for a term through June 30, 2020; and

b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 5 to Agreement No. A-12548.

SUMMARY/DISCUSSION:

The Housing and Community Development Department (previously the Resource Management Agency (RMA)) has established several on-call Agreements for specialized services when County staff requires special

expertise or when the volume of work exceeds staff's capacity to manage in a timely manner. On-call Agreements are utilized across the RMA and by other County Departments.

The Housing and Community Development Department (previously RMA - Land Use and Community Development) is responsible for providing permit application review services on all permitted projects. In fiscal year (FY) 2019-2020, there were 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 following a competitive selection process in accordance with County policies and State laws under Request for Qualifications (RFQ) #10382 and were last extended to June 30, 2020 to provide continued services and approved a not to exceed amount of \$100,000 for each of the two (2) Agreements (total of \$200,000) for FY 2019-2020 subject to funding allocation.

As services were needed, Rincon was available to complete the work while MBI was not. This led to an oversight in exceeding the FY 2019-2020 not to exceed amount for Rincon of \$100,000 by \$5,169. Staff managing this Agreement and Rincon misinterpreted the language in the Board Order for Amendment No. 4 to the Agreement and exceeded the \$100,000 threshold for Rincon. No money was spent on services from MBI, so the total amount of \$200,000 was not exceeded. RMA requests approval of Amendment No. 5 to the Agreement with Rincon to provide payment of \$5,169 for on-call services associated with permit application review services previously rendered in FY 2019-2020 retroactive to April 14, 2020.

Amendment No. 5 to the Agreement with Rincon will provide an additional \$5,169 of funding to pay Rincon for previously rendered services which will increase the not to exceed amount by \$5,169 to \$105,169 for FY 2019-2020 for permit application review services retroactive to April 14, 2020 for a term through June 30, 2020.

Attachment A provides a summary of the Agreement to date. Attachment B provides a summary of the annual expenditures and balance for the Agreement.

OTHER AGENCY INVOLVEMENT:

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

FINANCING:

The FY2019-20 RMA Planning Budget included \$200,000 for On Call Planning Support services. The additional \$5,169 expended for services rendered by Rincon were identified during the reconciliation process of the Fiscal Year End close and the outstanding invoices were accrued. No services were provided by Michael Baker International and the budget appropriations were not exceeded. There is no impact to the FY2020-21 Housing and Community Development Department's budget, formerly known as RMA - Planning.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action has assisted with the County's effective and timely response to the Housing and Community Development Department's customer requests for permits and has provided the ability to process applications in accordance with all applicable policies and regulations.

Economic Development
X Administration

☐ Health and Human Services
☐ Infrastructure
☐ Public Safety

Prepared by: Brandon Swanson, Planning Services Manager, (831) 755-5334

Approved by: Carl P. Holm, AICP, Director of Housing and Community Development

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

Attachment A - Summary of Agreement

Attachment B - Summary of Agreement Annual Expenditures and Balance

Attachment C - Amendment No. 5 to Agreement with Rincon

Attachment D - Amendment No. 4 to Agreement with Rincon

Attachment E - Amendment No. 3 to Agreement with Rincon

Attachment F - Amendment No. 2 to Agreement with Rincon

Attachment G - Amendment No. 1 to Agreement with Rincon

Attachment H - Agreement with Rincon