



County of Monterey

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

Legislation Details (With Board Report)

File #:	A 21-118	Name:	A1 w/RGS for FORA
Type:	BoS Agreement	Status:	Passed - RMA Administration
File created:	4/2/2021	In control:	Board of Supervisors
On agenda:	4/20/2021	Final action:	4/20/2021
Title:	a. Approve Amendment No. 1 to Agreement No. A-14785 with Regional Government Services Authority (RGS) to increase the not-to-exceed amount by \$50,000 for a total amount not to exceed of \$200,000, to enable RGS to continue to provide administrative and fiscal services to wind up the Fort Ord Reuse Authority's (FORA's) business affairs following FORA's dissolution, with no extension to the term of June 15, 2020 to June 30, 2021; and b. Authorize the County Administrative Officer to execute Amendment No. 1 to Agreement No. A-14785 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.		

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Amendment No. 1 to Agreement, 3. Attachment B - Agreement, 4. Completed Board Order Item No. 71, 5. Fully Executed Agreement Amendment No. 1

Date	Ver.	Action By	Action	Result
4/20/2021	1	Board of Supervisors	approved - rma administration	Pass

- a. Approve Amendment No. 1 to Agreement No. A-14785 with Regional Government Services Authority (RGS) to increase the not-to-exceed amount by \$50,000 for a total amount not to exceed of \$200,000, to enable RGS to continue to provide administrative and fiscal services to wind up the Fort Ord Reuse Authority's (FORA's) business affairs following FORA's dissolution, with no extension to the term of June 15, 2020 to June 30, 2021; and
- b. Authorize the County Administrative Officer to execute Amendment No. 1 to Agreement No. A-14785 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 1 to Agreement No. A-14785 with Regional Government Services Authority (RGS) to increase the not-to-exceed amount by \$50,000 for a total amount not to exceed of \$200,000 to enable RGS to continue to provide administrative and fiscal services to wind up the Fort Ord Reuse Authority's (FORA's) business affairs following FORA's dissolution, with no extension to the term of June 15, 2020 to June 30, 2021; and
- b. Authorize the County Administrative Officer to execute Amendment No. 1 to Agreement No. A-14785 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or increase the approved Agreement amount.

SUMMARY/DISCUSSION:

On June 23, 2020, the Board of Supervisors authorized the County Administrative Officer to approve an agreement with Fort Ord Reuse Authority (FORA), Regional Government Services Authority (RGS) and the County of Monterey (County) for RGS to provide administrative and fiscal services related to winding up FORA's business affairs immediately prior to and following FORA's dissolution. FORA, RGS, and the County

entered into Agreement No. A-14785 effective June 29, 2020 (hereinafter, "Agreement"), in a total amount not to exceed \$150,000 for a term beginning June 15, 2020 and ending June 30, 2021, for RGS to provide administrative and fiscal services to wind up FORA's business affairs. Pursuant to California Government Code Section 67700, FORA dissolved by operation of law on June 30, 2020. Pursuant to the terms of the Agreement, FORA assigned its rights, privileges, duties, and obligations under the Agreement to the County, effective July 1, 2020. The County's role is limited to oversight of the RGS Agreement and fiscal oversight of the wind-up of FORA's business affairs.

Due to the unexpected complexity of winding up FORA's affairs, the \$150,000 in funds provided by FORA under the Agreement are insufficient to cover the remaining services required under the Agreement. The proposed amendment will enable RGS to provide continued administrative and fiscal services for the wind up of FORA's affairs until June 30, 2021. The amendment augments the amount payable under the Agreement by \$50,000, to be funded by a portion of FORA's remaining fund balance, which is held by the County for the purpose of paying FORA's unknown contractual obligations and late-discovered liabilities and obligations.

Amendment No. 1 to Agreement No. A-14785 will increase the Agreement amount of \$150,000 by \$50,000, for a total amount not to exceed of \$200,000, with no extension to the term from June 15, 2020 to June 30, 2021.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller's Office have reviewed and approved Amendment No. 1 as to form, and fiscal provisions, respectively.

FINANCING:

FORA provided the initial \$150,000 to fund the Agreement. FORA Dissolution Fund, Fund 511, Fund Balance is currently \$1,336,773 and the \$50,000 to finance Amendment No. 1, would reduce it to \$1,286,773. There is no obligation for the County to pay any sum additional to the amount transferred from FORA.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action complies with the Board of Supervisors Strategic Initiatives for Economic Development and Administration.

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

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Approved by: Mike Novo, AICP, Interim Director of Housing and Community Development
Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities, & Parks

Attachments:

Attachment A-Amendment No. 1 to Agreement

Attachment B-Agreement No. A-14785

(Attachments are on file with the Clerk of the Board)