

Attachment D

Monterey County
Public Works, Facilities and Parks

**UTILITY AGREEMENT
AMENDMENT NO. 1**

County	Street	Post Miles	Project #
Monterey	Davis Road	N/A	3600
Fed. Aid. No.: BRLS-5944(068)			
Owner's File: PM74021029		Customer No.:	
FEDERAL PARTICIPATION: On the Project ☒ YES ☐ NO			
On the Utilities ☒ YES ☐ NO			

FIRST AMENDMENT TO UTILITY AGREEMENT NO. DRB-36002

WHEREAS, the County of Monterey, acting by and through its Department of Public Works Facilities and Parks, hereinafter called LOCAL AGENCY, and Pacific Gas and Electric (PG&E), hereinafter called OWNER, have entered into that certain Utility Agreement No. DRB-36002, dated 10/11/2022, which Agreement sets forth the terms and conditions pursuant to which OWNER has electrical facilities and appurtenances to accommodate LOCAL AGENCY's construction on Davis Road, Project number 3600; and,

WHEREAS, in the performance of said work, increased costs over and above those estimated at time of the execution of said Agreement were incurred due to significant increases in the design and contracted work (pole and conductor relocation), several estimate and design iterations occurred, including redesign requests and updated structure requirements, resulting in additional engineering effort. Project duration and coordination across multiple internal groups increased labor hours applied to planning, documentation, and design support. The estimate was done 03/23/2026 and the construction has yet to be completed. The total estimated cost assumes that work will be performed within one year of the estimate date. If work occurs more than a year after the estimate, inflation and changes in material and labor costs will apply; and,

WHEREAS, it has been determined that, since final costs will overrun the amount shown in said Agreement by 80%, and when the increased cost exceeds by 25% the estimated amount set forth in said Agreement, said Agreement shall be amended to show the increased cost of the work to the LOCAL AGENCY; and,

WHEREAS, the estimated cost to the LOCAL AGENCY of the work to be performed under said Agreement was \$2,495,316.00, and by reason of the increased costs referred to above, the amended estimated cost to the LOCAL AGENCY is \$4,110,722.00.

NOW, THEREFORE, it is agreed between the parties as follows:

1. The estimated cost to the LOCAL AGENCY of \$2,495,316.00 as set forth in said Agreement is hereby amended to read \$4,110,722.00.
2. All other terms and conditions of said Agreement remain unchanged.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Utility Agreement No. DRB-36002 the day and year written below.

LOCAL AGENCY:

COUNTY OF MONTEREY

OWNER:

PACIFIC GAS AND ELECTRIC COMPANY

By _____
Randell Ishii, MS, PE, TE, PTOE
Director of Public Works, Facilities
and Parks:

By _____
Brooke Reilly
Vice President
Land, Environmental & Permitting Services

Date: _____

Date: _____

APPROVED AS TO FORM

Office of the County Counsel
Susan K. Blitch, County Counsel

By _____
Mary Grace Perry
Deputy County Counsel

By _____
Signature of Secretary, Assistant Secretary,
CFO, or Assistant Treasure

Date: _____

Date: _____

APPROVED AS TO FISCAL PROVISIONS

Office of the Auditor-Controller
Edena Garcia, Auditor-Controller

By _____
Name: _____
Title: _____
Date: _____

*INSTRUCTIONS: If CONTRACTOR is a corporation, including limited liability and nonprofit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two specified officers. If CONTRACTOR is a partnership, the name of the partnership shall be set forth above together with the signature of a partner who has authority to execute this Agreement on behalf of the partnership. If CONTRACTOR is contracting in an individual capacity, the individual shall set forth the name of the business, if any, and shall personally sign the Agreement.