



County of Monterey

Item No.

Board Report

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

Legistar File Number: A 26-056

March 10, 2026

Introduced: 2/11/2026

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve a non-standard Professional Services Agreement in the amount of \$15,000 with Workbench, Inc., to provide updates to the existing Accessory Dwelling Unit plans to incorporate and update the California Building Code for a term beginning from execution to June 30, 2029 in an amount not to exceed \$15,000; and
- b. Authorize the Chief Contracts and Procurement Officer or designee to sign the non-standard Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than 10% (\$1,500);

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve a non-standard Professional Services Agreement in the amount of \$15,000 with Workbench, Inc., to provide updates to the existing Accessory Dwelling Unit plans to incorporate and update the California Building Code for a term beginning from execution to June 30, 2029 in an amount not to exceed \$15,000; and
- b. Authorize the Chief Contracts and Procurement Officer or designee to sign the non-standard Professional Services Agreement and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved Agreement amount by more than 10% (\$1,500);

SUMMARY:

In June 2022, the County entered into an Agreement with Workbench to provide the design and development of detached Accessory Dwelling Unit (ADU) building plans for studio, one-bedroom, and two-bedroom unit types that allow for a one-room addition. These plans are available on the County's Housing and Community Development (HCD) website and are being utilized by the public. That Agreement expired December 31, 2023.

DISCUSSION:

There has been an update to the building codes that in turn requires an update to the ADU plans. Workbench shall bring the plans up to date to meet the California Building Code 2025 Year Code for the design, structural, electrical, plumbing, and mechanical disciplines. Additionally, they will coordinate the current year code-required updates with all subconsultants as necessary.

With Addendum No. 1, two subparagraphs are added to this Professional Services Agreement making the Agreement non-standard. They are summarized below:

16.17, Ownership of Work: All work products, upon creation, under this Agreement are jointly owned by the County, Workbench, and Workbench’s subconsultants. It provides a permanent right to reuse the plans in their future business for any purpose if all references to the County are removed.

The County agrees that the Contractor is not responsible for how the materials are reused or modified in the future, including reuse by residents (such as under a pre-approved ADU program). Aside from reusing the plans themselves, Workbench may not share reports or information created under the agreement without obtaining the County’s prior written approval, unless disclosure is required by law, and Workbench is permitted to keep copies of all deliverables.

16.18, Restrictions on use by the County and their Residents: The County must notify Workbench whenever construction is approved using their plans by providing a copy of the executed liability waiver. Any plans the County makes available to the public must include prominent disclaimer language on every sheet that limits the liability of both Workbench and the County, places all risk on the user, disclaims warranties, requires indemnification, and confirms the plans are copyrighted and restricted to the approved ADU project.

In addition, anyone who uses the County’s pre-approved ADU plans must sign a liability waiver identifying the user and the specific plan set, and agreeing to release, indemnify, and hold harmless the Contractor and the County from all claims or losses arising from use, reuse, or modification of the plans. All property owners and beneficial owners must sign the waiver before the plans may be used.

OTHER AGENCY INVOLVEMENT:

The Offices of the County Counsel and Auditor-Controller have reviewed the non-standard Professional Services Agreement as to form and legality, and fiscal provisions, respectively.

FINANCING:

The cost for the services and staff time to prepare this report is included in the FY2025-26 Adopted Budget for Appropriation Unit HCD002, Unit 8543 and Appropriation Unit HCD001, Unit 8542 respectively. Future years’ costs will be included annually in the requested budget.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

The work provided through this agreement will ensure that the County maintains compliance with California Codes and provides the public with streamlined and efficient information.

- Well-Being and Quality of Life
- Sustainable Infrastructure for the Present and Future
- Safe and Resilient Communities
- Diverse and Thriving Economy
- Other: Administration

Prepared by: Kathy Nielsen, Management Analyst II, 755-4832
Reviewed by: Josh Bowling, Chief of Building, 755-5227
Approved by: Craig Spencer, HCD Director

The following attachments are on file with the Clerk of the Board:
Attachment 1 - Non-standard Professional Services Agreement