

Attachment B



Monterey County Board of Supervisors

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Board Order

A motion was made by Supervisor Chris Lopez, seconded by Supervisor Wendy Root Askew to:

Agreement No.: A-15327 ; Amendment No.: 2

- a. Approve Amendment No. 2 to Professional Services Agreement No. A-15327, Multi-Year Agreement #3200*5732, with Wallace Group, a California Corporation to continue to provide on-call engineering reports to determine annual maintenance requirements and capital improvement needs for selected County Service Areas (CSAs) and on-call engineering services for a variety of infrastructure upgrade and repair projects for the CSAs and County Sanitation Districts (CSDs), Request for Proposals #10782, to increase the not to exceed amount by \$1,000,000 for a total amount not to exceed \$2,000,000 and to extend the expiration date for 1 additional year through May 31, 2025, for a revised term from June 1, 2021 to May 31, 2025, with the option to extend the term for up to 1 additional year; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to Professional Services Agreement No. A-15327 and future amendments to the Agreement where the amendments do not significantly alter the scope of work as determined by the Director of Public Works, Facilities and Parks or the Director's designee, or increase the approved Agreement amount and subject to approval as to form by the Office of the County Counsel.

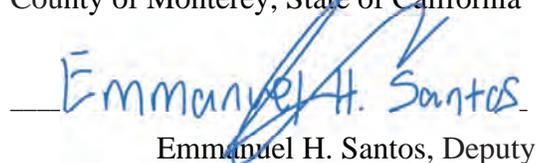
PASSED AND ADOPTED on this 2nd day of May 2023, by roll call vote:

AYES: Supervisors Alejo, Church, Lopez, Askew, and Adams
 NOES: None
 ABSENT: None

I, Valerie Ralph, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 82 for the meeting May 2, 2023.

Dated: May 5, 2023
File ID: A 23-136
Agenda Item No.: 29

Valerie Ralph, Clerk of the Board of Supervisors
County of Monterey, State of California


 Emmanuel H. Santos, Deputy

**AMENDMENT NO. 2
TO PROFESSIONAL SERVICES AGREEMENT
BETWEEN COUNTY OF MONTEREY AND
WALLACE GROUP, A CALIFORNIA CORPORATION**

THIS AMENDMENT NO. 2 to Professional Services Agreement No. A-15327 between the County of Monterey, a political subdivision of the State of California (hereinafter, “County”) and Wallace Group, a California Corporation (hereinafter, “CONTRACTOR”) is hereby entered into between the County and the CONTRACTOR (collectively, the “Parties”) and effective as of the last date opposite the respective signatures below.

WHEREAS, CONTRACTOR entered into Professional Services Agreement No. A-15327 with County on June 23, 2021 (hereinafter, “Agreement”) to provide engineering reports to determine annual maintenance requirements and capital improvement needs for selected County Service Areas (CSA) and on-call engineering services for variety of infrastructure upgrade and repair projects for the CSAs and County Sanitation Districts (CSDs) (hereinafter, “services”) through May 31, 202, with the option to extend the Agreement for up to two (2) additional years, for an amount not to exceed \$500,000; and

WHEREAS, Agreement was amended by the Parties on October 25, 2022 (hereinafter, “Amendment No. 1”) to update provisions and to increase the amount by \$500,000 which resulted in a total not to exceed amount of \$1,000,000 with no term extension; and

WHEREAS, the County has a continued need for services; and

WHEREAS, additional time and funding are necessary to allow CONTRACTOR to continue to provide the services required by the County; and

WHEREAS, the Parties wish to further amend the Agreement to extend the term for one (1) additional year to May 31, 2025 and increase the amount by \$1,000,000 for a total amount not to exceed \$2,000,000 to allow CONTRACTOR to continue to provide services identified in the Agreement and as amended by this Amendment No. 2.

NOW, THEREFORE, the Parties agree to amend the Agreement as follows:

1. Amend the second sentence of Section 2, “Payments by County”, to read as follows:

The total amount payable by County to CONTRACTOR under this Agreement shall not exceed the sum of \$2,000,000.

2. Amend the first sentence of Section 3, “Term of Agreement,” to read as follows:

The term of this Agreement is from June 1, 2021 to May 31, 2025, unless sooner terminated pursuant to the terms of this Agreement.

3. All other terms and conditions of the Agreement, including all Exhibits thereto, remain unchanged and in full force.
4. This Amendment No. 2 and the previous Amendment No. 1 shall be attached to the Agreement and incorporated therein as if fully set forth in the Agreement.
5. The recitals to this Amendment No. 2 are incorporated into the Agreement and this Amendment No. 2.

IN WITNESS WHEREOF, the Parties hereto have executed this Amendment No. 2 to the Agreement which shall be effective as of the last date opposite the respective signatures below.

COUNTY OF MONTEREY

CONTRACTOR

Debra R. Wilson, Contracts/Purchasing Officer

By: Angelica Ruelas
4DFC1176E799451...

Its: Angelica Ruelas, MA II, Deputy Purchasing Agent
(Print Name and Title)

Date: 5/8/2023 | 9:34 AM PDT

Approved as to Form
Office of the County Counsel
Leslie J. Girard, County Counsel

By: Mary Grace Perry
A1033B26E717442...

Its: Mary Grace Perry
Deputy County Counsel

Date: 4/6/2023 | 4:00 PM PDT

Approved as to Fiscal Provisions
Rupa Shah, Auditor/Controller

By: Ma Mon
2617DD077D65405...

Its: Chief Deputy Auditor-Controller
(Print Name and Title)

Date: 4/7/2023 | 8:16 AM PDT

Approved as to Indemnity and Insurance Provisions
Office of the County Counsel-Risk Management
Leslie J. Girard, County Counsel

By: _____

Its: _____
(Print Name and Title)

Date: _____

*INSTRUCTIONS: If CONTRACTOR is a corporation, including non-profit corporations, the full legal name of the corporation shall be set forth above together with the signatures of two (2) specified officers per California Corporations Code Section 313. If CONTRACTOR is a Limited Liability Corporation (LLC), the full legal name of the LLC shall be set forth above together with the signatures of two (2) managers. If CONTRACTOR is a partnership, the full legal 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 or Amendment to said Agreement.

Wallace Group, a California Corporation

Contractor's Business Name

By: Bradford R. Brechwald
C9704DF788DB47D...
(Signature of Chair, President or Vice President)

Its: Bradford R. Brechwald, President/CEO
(Print Name and Title)

By: Tom Zehnder
50D3683D90EC48F...
(Signature of Secretary, Asst. Secretary, CFO, Treasurer or Asst. Treasurer)

Its: Thomas K. Zehnder, CFO
(Print Name and Title)

Date: 4/5/2023 | 9:58 AM PDT 4/6/2023 | 12:13 PM PDT