RESOLUTION - ACTION REQUESTED 2014-251

MEETING: June 10, 2014

TO: The Board of Supervisors

FROM: Rick Benson, County Administrative Officer

RE: Second Amendment to Mountaintop Media Agreement

RECOMMENDATION AND JUSTIFICATION:
Approve the Second Amendment to the Professional Services Agreement with Mountain Top Media Increasing the Not to Exceed Amount by $2,301 and Authorize the Board of Supervisors Chair to Sign the Amendment; Approve Budget Action Transferring Funding from the Government Center Debt Fund to the Board of Supervisors Budget to Accommodate the Amendment ($2,301).

Mountain Top Media was originally contracted to replace the sound system in the Board Chamber in a not to exceed amount of $24,000. Your Board approved an increase in the contract to purchase microphones which produce superior sound quality. In the course of completing the project other work was performed by the contractor which was not originally anticipated. Therefore, it is necessary to increase the compensation to the contractor.

The additional work performed includes cosmetic repairs to the Board desktop. This work was anticipated, however it was expected that another contractor would be used. Mountaintop media provided a solution at a cost less than what was estimated. During the course of the project additional equipment was required to maximize online streaming sound quality. Finally, additional conduit was required as the original conduit proved to be inadequate.

The total cost of these additional improvements is $2,301. Therefore it is recommended that the Agreement be amended to allow for these improvements.

The work on the Board chamber sound system has tremendously improved the ability of everyone participating in Board meetings to hear the proceedings.

Funds are available from the refinancing of the Government Center Certificate of Participation.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Your Board first approved an agreement with Mountain Top Media on February 11, 2014, with Resolution 14-59. The First Amendment to the Agreement was approved by your Board on April 15, 2014.
ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ATTACHMENTS:
Mountain Top Amendment 2 (DOC)
MT Transfer 2 (XLS)

CAO RECOMMENDATION
Requested Action Recommended

Mary Hodson
Mary Hodson, Deputy CAO 6/4/2014

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Janet Bibby, District III Supervisor
AYES: Merlin Jones, Janet Bibby, Kevin Cann, John Carrier
EXCUSED: Lee Stetson
SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT is made and entered into this 10th day of June, 2014, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “County” and Mountain Top Media, hereinafter referred to as “Contractor”.

WHEREAS, the County and Contractor have heretofore entered into an Agreement dated February 11, 2014, wherein Contractor agreed to provide services as described on Exhibit “A” of the Professional Services Agreement; and

WHEREAS, County and Contractor amended said agreement on April 15, 2014 to increase the compensation for additional work and additional equipment costs; and

WHEREAS, County has requested additional equipment not anticipated in the original scope of work; and

WHEREAS, County and Contractor have identified additional improvements to be made to the facility which are outside the original scope of work; and

WHEREAS, County and Contractor desire to amend said Agreement to change the compensation to be provided to Contractor to compensate Contractor for additional work and additional equipment costs.

NOW, THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 4.01, “Compensation”, is hereby amended to provide that an additional Two Thousand Dollars, Three Hundred and One Dollars ($2,301) will be added to the amended Agreement price of Twenty-Nine Thousand Dollars ($29,000), making the total compensation
paid to Contractor the not to exceed amount of Thirty One Thousand, Three Hundred and One Dollars ($31,301).

2. Except as herein amended, the agreement dated February 11, 2014 as amended April 15, 2014 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.

COUNTY OF MARIPosa:

KEVIN CANN, Chairman
Mariposa County Board of Supervisors

CONTRACTOR:

ATTEST:

RENE LAROCHE
Clerk of the Board

APPROVED AS TO FORM:

STEVEN W. DAHLEM
County Counsel
### BUDGET ACTION FORM

<table>
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<th>FUND</th>
<th>DEPT/DIV</th>
<th>ACCOUNT</th>
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**TOTAL** $2,301 $2,301

### TRANSFER BETWEEN FUNDS

|      |         |         |         |         |         |         |

**TOTALS** $0 $0

**ACTION REQUESTED:** (Check all that apply)

- [x] Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or appropriating Reserve for Contingencies;

- [ ] Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

**JUSTIFICATION:** Amendment to Agreement with Mountain Top Media for upgrade to sound system in the Board Chamber.

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**DEPT HEAD SIGNATURE**

Mary B. Hoagland

**DATE** 6-4-14

**APPROVED BY RES NO.**

14-251

**CLERK**

Renee La Rock

**DATE** 6-18-14

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**GOVERNMENT CENTER/BOARD OF SUPERVISORS**

**AUDITOR’S USE ONLY**

BA #

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Budget Revision Form Revised 11/95
Mountain Top Media  
33279 Hwy 41, Suite B  
Coarsegold, CA 93614-8759  
Tel. 559-658-6867 Fax.  
559-642-3163  
CCL: 628804

NAME / ADDRESS  
Attn. Rick Benson/Rick Peresan  
Mariposa County  
PO Box 1156  
Mariposa, CA 95338

**Change Order**

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TERMS AND CONDITIONS: Installation/labor time indicated above is only an estimate. Installation will be provided on an Time and Materials basis at a rate of $95 per man-hour, plus the cost of materials. You will be billed for the actual time and materials used/spent on the job, which may be more or less than the estimated amount. MTM Agrees that charges shall not exceed the estimated amount by more than $100.

Sales Tax: 1.12

TOTAL: $300.18

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I, Rick Benson, do hereby authorize the above work, and agree to pay the amount stated for said services & supplies.

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APPROVED AS TO FORM:  
STEVEN W. DAHLEM  
COUNTY COUNSEL

Signature/Date  
Jim Hobbs, Mountain Top Media