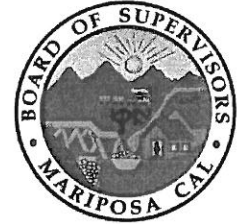




MARIPOSA COUNTY

Administration • 209-966-3222



RESOLUTION - ACTION REQUESTED 2015-245

MEETING: June 2, 2015

TO: The Board of Supervisors

FROM: Mary Hodson, CAO

RE: Second Amendment to Professional Services Agreement with Vavrinek, Trine, Day & Co.

RECOMMENDATION AND JUSTIFICATION:

Approve Second Amendment to a Professional Services Agreement with Vavrinek, Trine, Day & Co., LLP Extending the Term of the Agreement to September 30, 2015, and Authorize the Board of Supervisors Chair to Sign the Amendment. Vavrinek, Trine, Day, and Co., LLP were contracted to perform a financial analysis of the Yosemite West Waste Water Treatment Plant project. The financial analysis has been completed, but additional time is necessary to allow the analysis to be reviewed by the Yosemite West Advisory Committee. The extension of the term may not be necessary, but staff is recommending an extension to ensure there is sufficient time and to allow for any unforeseen delays that may occur in scheduling the review meeting.

The Yosemite West Advisory Committee requested this financial analysis and agreed to fund the cost of the analysis from the Yosemite West Maintenance fund. Because of this, their final review of the analysis is necessary in order for the project to be considered complete.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On May 13, 2014, the Board adopted Resolution #14-202 approving the Professional Services Agreement with Vavrinek, Trine, Day & Co., LLP to conduct a financial analysis of the Yosemite West Waste Water Treatment Plant project.

On January 6, 2015, the Board adopted Resolution #15-8, approving the First Amendment to the Professional Services Agreement extending the term to June 30, 2015.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the Second Amendment. The County and Contractor may be unable to fulfill the Agreement, because the review of final analysis has not yet been completed by the Yosemite West Advisory Committee.

FINANCIAL IMPACT:

Sufficient funding for the Agreement has been budgeted in the Yosemite West Maintenance fund.

ATTACHMENTS:

Second Amendment to Vavrinek Agreement(DOC)

First Amendment Vavrinek Agreement (DOC)

Vavrinek Agreement (DOC)

CAO RECOMMENDATION

Requested Action Recommended

Mary Hoelson

Mary Hoelson, CAO

5/27/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS SECOND AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT is made and entered into this 2nd day of June 2015, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as "County" and Vavrinek, Trine, Day & Co., LLP hereinafter referred to as "Contractor."

WHEREAS, the County and Contractor have heretofore entered into a Professional Services Agreement dated May 13, 2014, wherein Contractor agreed to provide a financial analysis related to the Yosemite West Waste Water Treatment Plant; and

WHEREAS, the County and Contractor first amended the Professional Services Agreement on January 6, 2015, extending the term to June 30, 2015; and

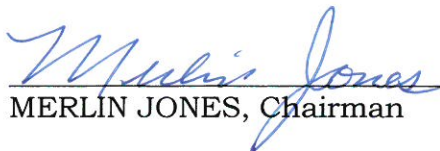
WHEREAS, County and Contractor desire to amend said Professional Services Agreement a second time and extend the termination date of the Agreement.

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

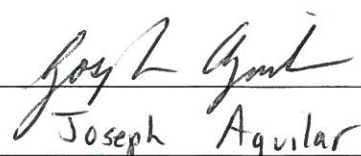
1. Amend paragraph 1.01 to extend the termination date to September 30, 2015.
2. Except as herein amended, the Professional Services Agreement dated May 13, 2014, shall remain in full force and effect.

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

COUNTY OF MARIPOSA


MERLIN JONES, Chairman

VAVRINEK, TRINE, DAY & CO., LLP


BY: Joseph Aguilar
(printed name)

APPROVED AS TO FORM:


STEVEN W. DAHLEM, County Counsel