RESOLUTION - ACTION REQUESTED 2016-346

MEETING: June 28, 2016

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: Approve the Fifth Amendment to the Agreement with Analytical Environmental Services

RECOMMENDATION AND JUSTIFICATION:
Approve the Fifth Amendment to the Agreement with Analytical Environmental Services (AES) Extending the Term of the Agreement to August 31, 2016, and Increasing the Compensation Amount by $1,256.48; and Authorize the Director of Public Works to Sign the Amendment.

All of the required work performed under this agreement has been closed out with the exception of tasks associated with receiving an approved Cultural Resource Assessment, and the costs associated with obtaining Archaeological Resources Protection Act permits. Both of these items were required by the Bureau of Land Management (BLM) and were outside the scope of the initial agreement. As was requested by the Board, staff revisited this work with the consultant and has concluded that this required work was both necessary and vital in order to fulfill all the necessary environmental requirements to construct the project, and recommends approval of the amendment.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On March 27, 2012, the Board approved a Professional Services Agreement with AES in the amount of $35,470 to prepare the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) Environmental Documents for Mariposa County’s $8.5 million Disaster Recovery Initiate grant awarded through the California Development Block Grant (CDBG) program.

On September 25, 2012, Resolution No. 12-484, the Board approved the First Amendment for an additional $37,224 which increased the total not-to-exceed amount to $72,694.

On May 7, 2013, Resolution No. 13-172, the Board approved the Second Amendment extending the completion date of the AES Agreement to December 31, 2013.

On August 13, 2013, Resolution No. 13-346, the Board approved the Third Amendment for an additional $48,846 which increased the total not-to-exceed amount
to $121,540.

On May 27, 2014 Resolution No. 2014-241, the Board approved the Fourth Amendment to extend the Term of the Agreement to June 30, 2014.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**
Do not approve the Amendment. An outstanding invoice will not be able to be processed for payment.

**FINANCIAL IMPACT:**
Sufficient funding for this amendment is available in the project budget.

**ATTACHMENTS:**
AES Fifth amend 12-041 (DOC)
AES 4th amdmnt (PDF)
AES 3rd amdmnt (PDF)
AES 2nd amdmnt (PDF)
AES 1st amdmnt (PDF)
AES C# 12-041 (PDF)
AES Amendment Justification (PDF)

**CAO RECOMMENDATION**
Requested Action Recommended

Mary Hodson, CAO 5/5/2016

**RESULT:** ADOPTED BY CONSENT VOTE [UNANIMOUS]
**MOVER:** Merlin Jones, District II Supervisor
**SECONDER:** Rosemarie Smallcombe, District I Supervisor
**AYES:** Rosemarie Smallcombe, Merlin Jones, Marshall Long, Kevin Cann
**EXCUSED:** John Carrier