RESOLUTION - ACTION REQUESTED 2017-79

MEETING: February 21, 2017

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: Approve a Fourth Amendment to the Agreement with ARG

RECOMMENDATION AND JUSTIFICATION:
Approve a Fourth Amendment to the Agreement with Architectural Resources Group (ARG) to Extend the Term of the Agreement to June 30, 2018 for Continued Engineering Services; and Authorize the Board of Supervisors Chair to Sign the Amendment.

This Amendment simply adds necessary time to the contract that reflects the direction adopted to have multiple construction phases of specific trade related construction elements.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On September 9, 2014 Resolution 2014-471 the Board approved an agreement with ARG for Design and Development of Exterior Repairs. On April 5, 2016 Resolution 16-150 the Board approved a First Amendment to increase compensation by $9,000. On May 10, 2016 Resolution 16-226 the Board approved a Second Amendment to increase compensation by $3,740. On August 2, 2016 Resolution 16-416 the Board approved a Third Amendment to increase compensation by $10,240.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
The Board could choose to provide alternative direction to Public Works regarding the execution of the approved project segmentation but to do so could impact the project bidding schedule on track for the upcoming construction season.

FINANCIAL IMPACT:
No financial impact.

ATTACHMENTS:
ARG 4th amd (DOCX)
AGR 3rd amd (PDF)
ARG 2nd amd (PDF)
ARG 1st amend (PDF)
ARG C# 15-006 (PDF)

CAO RECOMMENDATION
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Menetrey, Smallcombe, Jones, Long, Cann
FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT

THIS FOURTH AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT is made and entered into and effective the 1st day of January 2017 by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “County” and Architectural Resources Group, hereinafter referred to as “Consultant”.

WHEREAS, the County and Consultant have heretofore entered into an Agreement dated September 9, 2014, wherein Contractor agreed to provide Architectural and Engineering Services for the Mariposa County Courthouse Rehabilitation Project; and

WHEREAS, County and Consultant entered into a First Amendment to Professional Services Agreement dated April 5, 2016 to extend Term of Agreement from June 30, 2015 to December 31, 2016 and to add project scope and increase compensation by Nine Thousand Dollars ($9,000.) for a total compensation of One Hundred Thirty Four Thousand Two Hundred Ninety Dollars ($134,290.); and

WHEREAS, County and Consultant entered into the Second Amendment dated May 10, 2016 to add to scope of services and to increase compensation by Three Thousand Seven Hundred Forty Dollars ($3,740.) for a total compensation of One Hundred Thirty Eight Thousand Thirty Dollars ($138,030);

WHEREAS, County and Consultant entered into the Third Amendment dated August 2, 2016 to add to scope of services and to increase compensation by Ten Thousand Two Hundred Forty Dollars ($10,240.) for a total compensation of One Hundred Forty Eight Thousand Two Hundred Seventy Dollars ($148,270.).

WHEREAS, County and Consultant desire to further amend said Agreement to extend the term of the agreement to June 30, 2018 for continued Architectural and Engineering Services.
NOW THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 1.01 "Term of Agreement" is hereby amended to extend the term of Agreement from December 31, 2016 to June 30, 2018.

2. Except as herein amended, the Agreement dated September 9, 2014, together with the First Amendment dated April 5, 2016, the Second Amendment dated May 10, 2016, and the Third Amendment dated August 2, 2016 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:

[Signature]
Marshall Long, Chairman
Board of Supervisors
2/27/17

CONTRACTOR:
Architectural Resources Group

[Signature]
LISA YERGOVICH
PRINCIPAL
2/14/17

ATTEST:

[Signature]
Rene LaRoche
Clerk of the Board
2/27/17

APPROVED AS TO FORM:

[Signature]
STEVEN W. DAHLEM
County Counsel
2-23-17