RESOLUTION - ACTION REQUESTED 2017-81

MEETING: February 21, 2017

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: Approve First Amendment to Agee Construction Contract - West Whitlock Road

RECOMMENDATION AND JUSTIFICATION:
Approve First Amendment to the Agee Construct Contract for West Whitlock Road Construction Project; and Authorize the Public Works Director to Sign the Amendment (Subject to Approval as to Form by County Counsel).

Weather and traffic control issues have delayed the final construction activity related to this project. This Amendment only serves to extend the completion date of the contract allowing for all final payments and project closeout activities to continue.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
On September 1, 2015 the Board approved Resolution 2015-427 granting approval of Plans and Specifications for the West Whitlock Road Construction Project, authority to bid the project and award.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
The County would be unable to process for payment final project billings.

FINANCIAL IMPACT:
None. This is a time only Amendment.

ATTACHMENTS:
Agee Construction West Whitlock Contract (PDF)
Agee Const. 1st amd (DOC)
Board Resolution 2015 427 West Whitlock Road (PDF)

CAO RECOMMENDATION
Requested Action Recommended

Dallin Kimble, Interim CAO 2/9/2017
RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Menetrey, Smallcombe, Jones, Long, Cann
FIRST AMENDMENT TO CONTRACT FOR SERVICES

THIS FIRST AMENDMENT TO CONTRACT FOR SERVICES is made and entered into effective this 1st day of November 2016, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “County” and Agee Construction Corporation, hereinafter referred to as “Contractor”.

WHEREAS, the County and Contractor have heretofore entered into a Contract dated November 12, 2015, wherein Contractor agreed to provide Road Construction on West Whitlock Road; and

WHEREAS, County and Contractor desire to amend said Contract to extend the date of this agreement to April 30, 2017.

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

1. Paragraph 1.01 “AGREEMENT TERM” is hereby amended to extend the agreement to April 30, 2017.

2. Except as herein amended, the Contract dated November 12, 2015, 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:
Public Works

[Signature]
Tony Stobbe, Director [date]

CONTRACTOR:
Agee Construction Corporation

[Signature]
[date]

APPROVED AS TO FORM:

[Signature]
Steven W. Dahlem [date]
County Counsel