RESOLUTION - ACTION REQUESTED 2020-137

MEETING: March 17, 2020

TO: The Board of Supervisors

FROM: Mike Healy, Public Works Director

RE: Approve a Third Amendment with Drake Haglan & Associates to Change Name to Dewberry/Drake Haglan

RECOMMENDATION AND JUSTIFICATION:
Approve a Third Amendment for engineering services for the White Rock Road Bridge with Drake Haglan & Associates changing the name of the company to Dewberry/Drake Haglan; and Authorize the Board of Supervisors Chair to Sign the Amendment.

Drake Haglan & Associates has changed their name to Newberry/Drake Haglan and it is appropriate to Amend the original Agreements to formally recognize this name change in order to correctly process and pay for the contracted services.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
We currently have three open Agreements with Drake Haglan for bridge replacement design work.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve, current and future invoices will not be processed for payment.

FINANCIAL IMPACT:
There is no financial impact associated with this item.

ATTACHMENTS:
Drake Haglan 3rd amd 40C0032 (DOC)
Drake Haglan 1st amd 40C0032 (PDF)
Drake Haglan 2nd amd 40C0032 (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
THIRD AMENDMENT TO AGREEMENT FOR ENGINEERING SERVICES FOR WHITE ROCK BRIDGE (40C0032)

THIS THIRD AMENDMENT TO AGREEMENT FOR ENGINEERING SERVICES FOR WHITE ROCK BRIDGE (40C0032) is made and entered into this 17th day of March, 2020, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “County,” and Drake Haglan Associates, hereinafter referred to as “Contractor.”

WHEREAS, County and Contractor have heretofore entered into an Agreement dated April 18, 2017, wherein Contractor agreed to provide engineering services; and

WHEREAS, County and Contractor entered into a First Amendment dated December 11, 2018 to extend the term of the Agreement to December 31, 2022.

WHEREAS, County and Contractor entered into a Second Amendment dated June 18, 2019 to provide that an additional Seventy Five Thousand One Hundred Ninety One Dollars ($75,191) will be added to the original amount of Three Hundred Fifty Six Thousand Five Hundred Dollars ($356,500), making the total compensation paid to Contractor the not to exceed amount of Four Hundred Thirty One Thousand Six Hundred Ninety One ($431,691.).

WHEREAS, County and Contractor desire to amend said Agreement to change the name of the Contractor;

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

1. “CONTRACTOR”, is hereby amended to reference Dewberry Engineers Inc. dba Dewberry | Drake Haglan.

2. Except as herein amended, the agreement dated April 18, 2017 together with the First Amendment dated December 11, 2018, and the Second Amendment dated June 18, 2019 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:  
DENNIS HAGLAN, Vice President  
Dewberry Engineers Inc. dba Dewberry | Drake Haglan

ATTEST:  
RENÉ LAROCHE  
Clerk of the Board

APPROVED AS TO FORM:  
STEVEN W. DAHLEM  
County Counsel

LAST UPDATED 7/11/18
Drake Haglan and Associates

is now Dewberry | Drake Haglan

New taxpayer identification number: 13-0746510

You can continue to expect the same level of performance and commitment from our professionals. Please see revised W-9 on reverse.

Dewberry Engineers Inc. is registered in California to do business as Dewberry | Drake Haglan.
Form W-9

Request for Taxpayer Identification Number and Certification

Go to www.irs.gov/FormW9 for instructions and the latest information.

Give Form to the requester. Do not send to the IRS.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.
   Dewberry Engineers Inc.
   Dewberry Drake Haglan

2. Business name disregarded entity name, if different from above

3. Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes:
   - Individual/sole proprietor or single-member LLC
   - Corporation
   - Partnership
   - Trust/estate
   - Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership)
   - Other (see instructions)

4. Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):
   - Exempt payee code (if any)
   - Exemption from FATCA reporting code (if any)

5. Address (number, street, and apt. or suite no.) See instructions.
   B401 Arlington Blvd.
   Fairfax, VA 22031

6. City, state, and ZIP code

7. List account number(s) here (optional)

Part I: Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.

Social security number

OR

Employer identification number

Part II: Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person

Date

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)
- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third-party network transactions)
- Form 1068 (home mortgage interest), 1068-E (student loan interest), 1068-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.