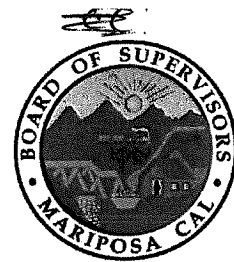




MARIPOSA COUNTY

Planning · 209-966-5151



RESOLUTION - ACTION REQUESTED 2016-134

MEETING: March 22, 2016

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

MINUTE ORDER ATTACHED

RE: PSA Amendment for Change of Scope and Compensation

RECOMMENDATION AND JUSTIFICATION:

Approve Second Amendment to the Professional Services Agreement with J. B. Anderson Land Use Planning, Inc. for Technical Services and Assistance on the General Plan Housing Element Update; Amending the Scope of Services and Increasing the Compensation Amount by \$15,596 for a Not-to-Exceed Amount of \$30,134.56; and Authorize the Board of Supervisors Chair to Sign the Second Amendment.

The current agreement will expire October 31, 2016, and the requested action is to amend the scope of services and to increase the overall compensation amount from \$14,538.56 to \$30,134.56. Details on the amended scope and amended compensation can be seen in the attachment (**amended work and increased compensation is needed for Tasks 3 and 4**).

Adjustments to any remaining contract amounts unused after the FY 2015-2016 will be re-budgeted into the FY 2016-2017 budget accordingly.

This action is requested as Planning staff has focused on other advanced planning project priorities, commitments and deadlines all of which have impacted the progress on the Housing Element Update. Staff needs the consultant to complete work which exceeds the originally anticipated and limited technical assistance. The consultant is qualified to complete the project. This update is past due the state's deadline.

When the First amendment was granted by the Board on October 27, 2015 it was anticipated that additional assistance from the consultant would be needed and that an amended Scope of Services would be proposed to ensure completion of this project.

The Consultant is not requesting a time extension as they feel that the work can be accomplished prior to October 31, 2016.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

- Fiscal Year 2014-15, Reso 2014-103, the County entered into an agreement with a not to exceed amount of \$25,364.

- Fiscal Year 2015-16, Reso 2015- 156, the County entered into a new agreement with a not to exceed amount of \$14,538.56, which represented the unused funding from the original agreement.
- Fiscal Year 2015-16, Reso 2015-510, the County approved a first amendment extending the agreement to October 31, 2016.
- Fiscal Year 2015-16, Planning is requesting a second amendment increasing the not to exceed amount to \$30,134.56 (or by \$15,596).

The total compensation being paid to J.B. Anderson as a result of the original Agreement, the second Agreement, and now the second amendment is \$40,960 as referenced on the Revised Scope of Work.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Not proceeding with this contract amendment will mean Planning Department Staff will be responsible for completing the technical review and communications with HCD (Housing and Community Development) for the mandated Housing Element Update.

Failure to complete and submit a Housing Element Update to HCD could result in the suspension of certain State funding such as community develop block grants.

FINANCIAL IMPACT:

As of the January 2016 billing, the contracted balance is \$6,128.56. Adequate funds are budgeted within the Planning Departments General Plan Professional Services budget to fulfil this contract amount. Request is to increase the overall contract amount by \$15,596 of which adequate funds are budgeted in the Planning Departments Professional Services main budget line.

ATTACHMENTS:

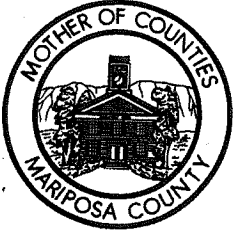
- 160322 PSC Proposed 2nd amendment (scope and comp) revised (PDF)
- Revised Exhibit A to Contract 2nd Amendment (PDF)
- 2015-510 PSC 1st Amendment (ext of contract date) (PDF)
- 2015-156 PSC for JB Anderson for Housing Element (PDF)

CAO RECOMMENDATION

Requested Action Recommended


 Mary Hodson, CAO 3/17/2016

RESULT: ADOPTED AS AMENDED BY CONSENT VOTE [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Merlin Jones, District II Supervisor
AYES: Smallcombe, Jones, Long, Cann, Carrier



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222



JOHN CARRIER, CHAIR
MARSHALL LONG, VICE-CHAIR
ROSEMARIE SMALLCOMBE
MERLIN JONES
KEVIN CANN

DISTRICT V
DISTRICT III
DISTRICT I
DISTRICT II
DISTRICT IV

MARIPOSA COUNTY BOARD OF SUPERVISORS MINUTE ORDER

TO: SARAH WILLIAMS, Planning Director

FROM: RENÉ LaROCHE, Clerk of the Board *RL*

SUBJECT: Approve Second Amendment to the Professional Services Agreement with J. B. Anderson Land Use Planning, Inc. for Technical Services and Assistance on the General Plan Housing Element Update; Amending the Scope of Services and Increasing the Compensation Amount by \$15,596 for a Not-To-Exceed Amount of \$30,164.56 for This Contract; and Authorize the Board of Supervisors Chair to Sign the Second Amendment

Resolution: 16-134

The following action was taken by the Mariposa County Board of Supervisors on **March 8, 2016:**

D. Approval of Consent Agenda (Items designated by "CA")

CA8. Planning RES-2016-134

Approve Second Amendment to the Professional Services Agreement with J. B. Anderson Land Use Planning, Inc. for Technical Services and Assistance on the General Plan Housing Element Update; Amending the Scope of Services and Increasing the Compensation Amount by \$15,596 for a Not-To-Exceed Amount of \$30,164.56 for This Contract; and Authorize the Board of Supervisors Chair to Sign the Second Amendment

AMENDMENT: CA8, Change the completion date to December 31, 2016.

RESULT: ADOPTED [UNANIMOUS]
MOVER: Marshall Long, District III Supervisor
SECONDER: Merlin Jones, District II 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 22nd day of March, 2016 by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as "**County**" and J. B. Anderson Land Use Planning, Inc., hereinafter referred to as "**Contractor**".

WHEREAS, pursuant to Mariposa County Board of Supervisors Resolution No. 2015-156, the **County** and **Contractor** have heretofore entered into an Agreement dated April 7, 2015 wherein **Contractor** agreed to provide scope of services as described in Exhibit "A" of said agreement for Mariposa County in regard to the Housing Element Update; and

WHEREAS, pursuant to Mariposa County Board of Supervisors Resolution No. 2015-510 on October 27, 2015, the **County** and **Contractor** have heretofore entered into a First Amendment to the above mentioned Professional Services Agreement extending the original contract expiration date to October 31, 2016 in order to complete the work on the project; and

WHEREAS, **County** and **Contractor** desire to amend this agreement further with a Second Amendment in order to amend the Scope of Services and to amend the Compensation.

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

1. **ARTICLE 1. TERM OF AGREEMENT.** Date for Term of Agreement to be extended to December 31, 2016.


2. **ARTICLE 3. SERVICES TO BE PERFORMED BY CONTRACTOR**, Section 3.01 Scope of Services references "Exhibit A", which is hereby modified as shown in the attached "Exhibit A – Revised Scope of Services and Revised Compensation with Task completion status".

3. **ARTICLE 4. COMPENSATION**, Section 4.01 is amended to include additional fees to address the increase in Scope of Services as outlined in the attached "Exhibit A – Revised Scope of Services and Revised Compensation with Task completion status". The "not-to-exceed" amount is hereby established as \$30,134.56.

4. Except as provided within the First Amendment from October 27, 2015 and as provided herein this Second Amendment of March 22nd, 2016, the Agreement dated April 7, 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:



 John Carrier, Chair
 Board of Supervisors
 County of Mariposa

CONTRACTOR: J.B. Anderson Land Use Planning, Inc.




 John B. Anderson, President
 J.B. Anderson Land Use Planning, Inc.
 Tax Payer ID/SS # (on file)

ATTEST:



 René LaRoche, Clerk of the Board

APPROVED AS TO FORM:



 Steven W. Dahlem, County Counsel