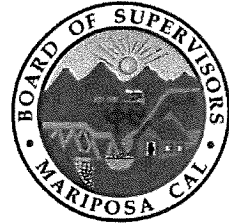




MARIPOSA COUNTY

Public Works • 209 966 5356



RESOLUTION - ACTION REQUESTED 2018-10

MEETING: January 9, 2018

TO: The Board of Supervisors

FROM: Mike Healy, Public Works Director

RE: Approve a Second Amendment with Pinnacle ART, LLC

RECOMMENDATION AND JUSTIFICATION:

Approve a Second Amendment with Pinnacle ART, LLC (formally known as Advanced Reliability Technologies) to extend the term of the Agreement to June 30, 2018 and increase compensation by \$10,000 for a total Not to Exceed amount of \$154,495 for Scope of Work changes; and Authorize the Board of Supervisors Chair to Sign the Amendment. Pinnacle ART was contracted to create five-year Capital Improvement Plan for the County's special districts and to determine a proposed rate structure for each special district.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On June 28, 2016, Resolution 2016-347 the Board approved a First Amendment to extend the Term of the Agreement to June 30, 2017.

On June 16, 2015, Resolution 2015-288 the Board approved an agreement with Pinnacle ART, LLC to create a five year Capital Improvement Plan and determine a proposed Rate Structure for each District.

In July 2014 a Request For Proposal (RFP) was circulated for the preparation of a rate study and Engineer's Report.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board could choose to not approve this Amendment and provide alternative direction to the Department of Public Works.

FINANCIAL IMPACT:

None as these fees are paid through Special District (Utility) Revenue Funds

ATTACHMENTS:

Pinnacle ART 2nd amd sp. dist. (PDF)

ART 1st amd Rate (DOC)

ART 15-035 (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

**SECOND AMENDMENT TO AGREEMENT FOR CREATING A FIVE YEAR
CAPITOL IMPROVEMENT PLAN FOR SPECIAL DISTRICTS**

THIS SECOND AMENDMENT TO AGREEMENT FOR CREATING A FIVE YEAR CAPITOL IMPROVEMENT PLAN FOR SPECIAL DISTRICTS is made and entered into this 9th 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 Pinnacle ART, LLC, hereinafter referred to as “**Contractor**”.

WHEREAS, the **County** and **Contractor** have heretofore entered into a Contract dated June 16, 2015, wherein **Contractor** agreed to provide a five year Capitol Improvement Plan for Special Districts; and

WHEREAS, **County** and **Contractor** entered into the First Amendment dated June 28, 2016 to extend the Term of the Agreement to June 30, 2017.

WHEREAS, **County** and **Contractor** desire to amend said Contract to extend the Term of the Agreement to June 30, 2018 and increase compensation by Ten Thousand Dollars (\$10,000) for a Total Not to Exceed amount of One Hundred Fifty Four Thousand Four Hundred Ninety Five Dollars (\$154, 495) to be provided to **Contractor**;

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 term of the agreement to June 30, 2018.

2. Paragraph 4.01, “**COMPENSATION**”, is hereby amended to provide that an additional Ten Thousand Dollars (\$10,000) will be added to the original contract price of One Hundred Forty Four Thousand Four Hundred Ninety Five Dollars (\$144,495), making the total

compensation paid to **Contractor** the not to exceed amount of One Hundred Fifty Four Thousand Four Hundred Ninety Five Dollars (\$154,495).

3. Except as herein amended, the agreement dated June 16, 2015 together with the First Amendment dated June 28, 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:



~~Marshall Long, Chairman~~
Mariposa County Board of Supervisors
Rosemarie Smallcombe, Board Chair

CONTRACTOR:



Jonathan Davis
Pinnacle Asset Integrity Services, LLC
DBA PinnacleART

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel

ATTEST:



Rene LaRoche
Clerk of the Board