

DEPARTMENT: Planning

BY: Kris Schenk
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RECOMMENDED ACTION AND JUSTIFICATION:

A Novation Agreement is a mechanism allowing the duties and obligations of an existing contract for services to be assigned and transferred from an existing contractor to a new contractor. In this situation the objective is completion and adoption of the General Plan Update contract in a timely manner. The existing consultant, Parsons, has not been able to provide a satisfactory level of performance. The new consultant, Hauge Brueck Associates, has the commitment, project knowledge and resources to complete the General Plan and EIR. Planning Staff believes that novation of the current agreement from Parsons to Hauge Brueck Associates is an appropriate and necessary action for the successful completion of the General Plan Update this fall.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors completed a public workshop on March 21, 2006 and directed substantial revisions to the draft General Plan. The consultant (Parsons) has also been responsible for preparing Responses to Comments received on the Draft EIR. In recent months since the Board's action, the consultant's performance and draft work products have been problematic. The new contractor, Andy Hauge, has agreed to take over the completion of the General Plan contract from his previous employer, Parsons.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Without the recommended novation of the existing contract from Parsons to Hauge Brueck Associates, it is difficult to envision how the General Plan and EIR can be completed according to the schedule that the Board has approved.

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No (X) Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		1. Novation Agreement
Source:		_____
Internal Transfer		_____
Unanticipated Revenue _____ 4/5's vote		_____
Transfer Between Funds _____ 4/5's vote		_____
Contingency _____ 4/5's vote		_____
() General () Other		_____

CLERK'S USE ONLY:

Res. No.: 26-442 Ord. No. _____
Vote - Ayes: 5 Noes: _____
Absent: _____
Approved
() Minute Order Attached () No Action Necessary

COUNTY ADMINISTRATIVE OFFICER:

_____ Requested Action Recommended
_____ No Opinion
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

CAO: 