

MARIPOSA COUNTY

Public Works • (209) 966-5356



RESOLUTION - ACTION REQUESTED 2016-290

MEETING: June 14, 2016

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: Second Amendment with Willdan Engineering for Road Commissioner

RECOMMENDATION AND JUSTIFICATION:

Approve a Second Amendment to the Professional Services Agreement with Willdan Engineering Increasing the Not-To-Exceed Amount by \$15,000 for a total compensation of \$65,000 and extend the term of the contract to June 30, 2017, to continue to retain Doug Wilson, as the County Road Commissioner; and Authorize the Board of Supervisors Chair to Sign the Amendment.

Doug Wilson is registered as a Civil Engineer in the State of California and has been serving as the interim or acting Road Commissioner since February 2015. Section 2006 of the Streets and Highways Code requires that appointees as Road Commissioner be a Registered Civil Engineer. The Public Works Director, while willing to serve as Road Commissioner, has not yet obtained registration (by comity) in California as a Professional Engineer, and will not have opportunity to do so until Fall 2016. As such, staff recommends Mr. Wilson continue serving as Road Commissioner, providing invaluable guidance and direction to Public Works staff.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On December 8, 2015, Resolution 2015-579 a First Amendment was approved to increase the compensation by \$40,000.

On February 3, 2015, Resolution 2015-56 was adopted appointing Doug Wilson as the acting Road Commissioner for the County.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board could choose to not approve the amendment and provide alternative direction to the Director of Public Works regarding compliance with Streets and Highways Code.

FINANCIAL IMPACT:

Funding for this agreement has been requested in the submitted FY16-17 Roads budget.

ATTACHMENTS:

Willdan 2nd amd Rd. Com (DOCX)

Willdan 1st amd Rd. Com. (PDF)
Willdan PSA 15-032 (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 6/7/2016

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Rosemarie Smallcombe, Marshall Long, Kevin Cann, John Carrier

EXCUSED: Merlin Jones

SECOND AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT

THIS SECOND AMENDMENT TO PROFESSIONAL SERVICE AGREEMENT is made and entered into this June 21, 2016, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as **“County”** and Willdan Engineering, hereinafter referred to as **“Consultant”**.

WHEREAS, County and Consultant have heretofore entered into an Agreement dated May 1, 2015 wherein **Consultant** agreed to provide direction as the County Road Commissioner; and

WHEREAS, County and Consultant entered into the First Amendment to Professional Services Agreement to increase the compensation by \$40,000.

WHEREAS, County and Consultant desire to further amend said Agreement to extend the completion date of this agreement to June 30, 2017.

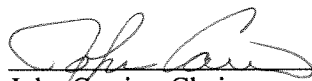
WHEREAS, County and Consultant desire to further amend said agreement to increase the compensation by \$15,000

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

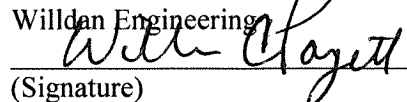
1. Paragraph 1.01 **“AGREEMENT TERM”** is hereby amended to extend the date of completion to June 30, 2017
2. Paragraph 4.01 **“COMPENSATION”** is hereby amended to increase the compensation in the amount of \$15,000 for a total compensation of \$65,000.
2. Except as herein amended, the Agreement dated May 1, 2015, together with the First Amendment dated November 5, 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 (Date) 6-16-16
Board of Supervisors

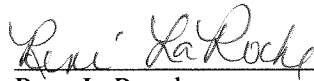
CONSULTANT:

Willdan Engineering

(Signature) (Date) 6/1/16

APPROVED AS TO FORM:


STEVEN W. DAHLEM (Date)
County Counsel

ATTEST:


Rene LaRoache (Date) 6-16-16
Clerk of the Board