

RESOLUTION NO. 22-238

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 4 TO BOARD OF SUPERVISORS AGREEMENT NUMBER 16-017/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 160025, TO TRANSFER ASSIGNMENT OF AGREEMENT WITH QUINCY ENGINEERING, INC. TO CONSOR NORTH AMERICA, INC., EXTEND THE TERMINATION DATE THROUGH DECEMBER 31, 2024, AND APPROVE AN ADDITIONAL AMOUNT OF \$187,600, FOR THE DESIGN OF THE ROBINSON CREEK BRIDGE REPLACEMENT ON LAMBERT LANE, COUNTY ROAD 123A, MILEPOST 0.10 (BOONVILLE AREA)

WHEREAS, the Mendocino County Department of Transportation (DOT) desires to replace the functionally obsolete bridge over Robinson Creek on Lambert Lane, County Road (CR) 123A, Milepost (M.P.) 0.10; and

WHEREAS, the costs of replacement of this bridge are anticipated to be paid for by the Federal Highway Administration Highway Bridge Program and Toll Credits; and

WHEREAS, by Resolution Number (No.) 16-051 (April 19, 2016), the Board of Supervisors (BOS) approved BOS Agreement No. 16-017/DOT Agreement No. 160025 (Agreement) with Quincy Engineering Inc. (QEI), for plans, specifications, and estimate bid package; and

WHEREAS, through a series of acquisitions and mergers, QEI has become a wholly owned subsidiary of Consor North America, Inc. (Conсор), and as part of the acquisition of QEI by Consor, QEI will be transferring all assets including the Agreement to Consor, which has not changed the QEI team that has been working with DOT; and

WHEREAS, it is the desire of Consor and DOT to extend the termination date set out in Amendment No. 1 to the Agreement, from December 31, 2022 to December 31, 2024; and

WHEREAS, additional work is required due to delays in biological and cultural approvals, site constraints, and changes in funding, utility, and public safety requirements; and

WHEREAS, Consor has agreed to complete the additional or expanded tasks as detailed in Amendment No. 4 Exhibit A for an additional amount of \$187,600; and

WHEREAS, it is mutually agreed between DOT and Consor that the total not-to-exceed compensation payable to Consor including the total amount of salaries and expenses included in the original agreement and Amendment No. 1, 2, 3, and 4 shall be increased to a not-to-exceed amount of \$985,400; and

WHEREAS, DOT believes it is prudent to budget a contingency amount of \$19,000 for additional amendments for unforeseen additional work that may need to be performed under DOT Agreement No. 160025, and to authorize the Director of Transportation to execute amendments to use the contingency amount, so as to allow for timely completion of the work.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors:

1. Approves Amendment No. 4 to BOS Agreement No. 16-017/DOT Agreement No. 160025 with Quincy Engineering, Inc., to transfer assignment of the Agreement to Consor North America, Inc., and to amend the scope of services to include specified additional and expanded tasks, increasing the amount to be paid under the agreement by \$187,600 to a not-to-exceed amount of \$985,400 for plans, specifications, and estimate bid package for the Robinson Creek Bridge Replacement on Lambert Lane, CR 123A, M.P. 0.10, in Boonville, CA; and
2. Approves extending the termination date set out in Amendment No. 1 of the Agreement from December 31, 2022 to December 31, 2024; and
3. Authorizes the Director of Transportation or his designated representative to sign any and all amendments to the Agreement that will not result in an increased cost beyond the increased cost amount specified above; and

4. Authorizes and directs the Chair of the Board of Supervisors to execute said Amendment No. 4 to BOS Agreement No. 16-017/DOT Agreement No. 160025 with Consor North America, Inc. on behalf of Mendocino County.

The foregoing Resolution introduced by Supervisor Mulheren, seconded by Supervisor McGourty, and carried this 6th day of December, 2022, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams
NOES: None
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

TED WILLIAMS, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy