

**RESOLUTION NO. 16-073**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NO. 5 TO THE BOARD OF SUPERVISORS AGREEMENT NO. 08-185/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 080059, FOR CONSTRUCTION DESIGN SUPPORT SERVICES WITH MARK THOMAS & COMPANY, INC., FOR A TOTAL AMOUNT OF \$37,713, AND AUTHORIZING AN ADDITIONAL CONTINGENCY AMOUNT OF \$10,000, FOR THE SEISMIC RETROFIT OF MOORE STREET BRIDGE, COUNTY ROAD 229B, MILE POST 0.45 (CALPELLA AREA)**

WHEREAS, the Mendocino County Department of Transportation (DOT) desires to retrofit the seismically deficient bridge over the Russian River along Moore Street, County Road (CR) 229B; and

WHEREAS, the costs of construction of the seismic retrofit of the Moore Street Bridge are being paid for by the federal Highway Bridge Program and the Proposition 1B Local Bridge Seismic Retrofit Account; and

WHEREAS, the funding to accommodate construction costs has been budgeted through Budget Unit 3041 for Fiscal Year (FY) 2015/16 and FY 2016/17; and

WHEREAS, by Resolution No. 08-205 (October 21, 2008), the Board of Supervisors (BOS) approved BOS Agreement No. 08-185/DOT Agreement No. 080059 (Agreement) with Mark Thomas & Company, Inc., for plans, specifications, and estimate bid packages; and

WHEREAS, construction design support services are ordinarily performed by the Engineer of Record, who in this case is the consultant, Mark Thomas & Company, Inc.; and

WHEREAS, additional funds in the amount of \$37,713 are required to complete the construction support services, including completing the as-built plans; and

WHEREAS, following Amendment No. 5, the not-to-exceed amount to be paid to Mark Thomas and Company, Inc., under the Agreement, shall be \$1,097,713; and

WHEREAS, DOT believes it is prudent to budget a contingency amount of \$10,000 for unforeseen work that may need to be performed under the Agreement, and to authorize the Director of Transportation to execute amendments to the Agreement that use the contingency amount, so as to allow for timely completion of work; and

WHEREAS, the Director of Transportation recommends and requests Board approval of Amendment No. 5 to the Agreement.

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

1. Approves Amendment No. 5 to BOS Agreement No. 08-185/DOT Agreement No. 080059 with Mark Thomas & Company, Inc., to increase the amount to be paid under the agreement by \$37,713 for construction design support services for the Seismic Retrofit of Moore Street Bridge over the Russian River along Moore Street, CR 229B, in Calpella.

2. 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 and contingency amounts specified above.
3. Authorizes and directs the Chair of the Board of Supervisors to execute said Amendment No. 5 to BOS Agreement No. 08-185/DOT Agreement No. 080059 with Mark Thomas & Company, Inc., on behalf of Mendocino County.

The foregoing Resolution introduced by Supervisor McCowen, seconded by Supervisor Brown, and carried this 21st day of June, 2016, by the following vote:

AYES: Supervisors Brown, McCowen, Woodhouse and Gjerde  
NOES: None  
ABSENT: Supervisor Hamburg

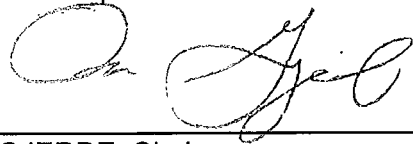
WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: CARMEL J. ANGELO  
Clerk of the Board

  
\_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
KATHARINE L. ELLIOTT, County Counsel

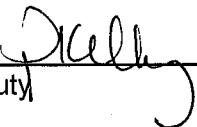
  
\_\_\_\_\_  
Deputy



\_\_\_\_\_  
DAN GJERDE, Chair  
Mendocino County Board of Supervisors

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

BY: CARMEL J. ANGELO  
Clerk of the Board

  
\_\_\_\_\_  
Deputy