

**COUNTY OF MENDOCINO  
DEPARTMENT OF TRANSPORTATION**

**AMENDMENT NO. 5 TO DOT AGREEMENT NO. 080059  
BOS AGREEMENT NO. 08-185**

**AGREEMENT FOR CONSULTING ENGINEER SERVICES FOR SEISMIC RETROFIT  
OF MOORE STREET BRIDGE AND EUREKA HILL ROAD BRIDGE**

This Amendment No. 5 to County BOS Agreement No. 08-185/DOT Agreement No. 080059 is entered into this 21<sup>st</sup> day of June, 2016, by and between the COUNTY OF MENDOCINO, a political subdivision of the State of California, hereinafter referred to as "COUNTY" and Mark Thomas & Company, Inc. (7300 Folsom Boulevard, Suite 203 Sacramento, CA 95826) hereinafter referred to as "CONSULTANT."

WHEREAS, BOS Agreement No. 08-185/DOT Agreement No. 080059 was entered into on April 6, 2010, modified by Amendment No. 1 (time extension) dated June 30, 2010; Amendment No. 2 (time extension) dated August 15, 2012; Amendment No. 3 (ISA and property appraisals) dated September 24, 2013; and Amendment No. 4 (fee schedule update) dated August 17, 2015 (BOS Agreement No. 08-185/DOT Agreement No. 080059, as amended by Amendment Nos. 1 through 4, is hereinafter referred to as the "Agreement"); and

WHEREAS, upon execution of this document by Mendocino County and Mark Thomas & Company, Inc., this document will become part of the aforementioned Agreement and shall be incorporated therein; and

WHEREAS, the Moore Street Bridge Seismic Retrofit project will be constructed in the 2016 construction season, and construction support services are needed by the Engineer of Record, Mark Thomas and Company, Inc.; and

WHEREAS, the Agreement provides for construction design support services pursuant to Section B of Phase Four – Final Design of said BOS Agreement No. 08-185/DOT Agreement No. 080059, which section includes a general statement of duties to be performed at a budgeted amount, which is \$5,762; and

WHEREAS, COUNTY and CONSULTANT have reviewed the construction design support services that are needed and have agreed that the estimated budgeted amount requires increasing the Agreement by \$37,713; and

WHEREAS, it is mutually agreed between COUNTY and CONSULTANT that payments to CONSULTANT including the total amount of salaries and expenses included in the original Agreement and Amendment Nos. 1 to 5 shall be increased to a not-to-exceed amount of \$1,097,713.

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NOW, THEREFORE, we agree as follows:

1. CONSULTANT shall provide the following construction design support services for the Moore Street Bridge Seismic Retrofit project, pursuant to Section B of Phase Four – Final Design, within the scope of work of the Agreement:

During the construction phase, CONSULTANT will work with COUNTY to respond to Requests for Information (RFIs) and review shop drawings and material submittals. CONSULTANT will serve as the primary point of contact for RFI's requiring responses from CONSULTANT. CONSULTANT will provide limited observation of pile installation (maximum of one (1) site visit) and be available to review pile test results and provide guidance to COUNTY.

CONSULTANT will provide plan revisions as required to provide direction to the contractor. Upon completion of the work, COUNTY will provide CONSULTANT with all As-Built changes, which CONSULTANT will use to make a set of Record Drawings for COUNTY.

2. The total not-to-exceed amount of BOS Agreement No. 08-185/DOT Agreement No. 080059, as amended, is increased by \$37,713 to one million ninety seven thousand seven hundred thirteen dollars (\$1,097,713) for the term of this agreement; and

All other terms and conditions of BOS Agreement No. 08-185/DOT Agreement No. 080059 as amended shall remain in full force and effect.

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first above written.

DEPARTMENT FISCAL REVIEW: Mendocino  
County Department of Transportation

Howard N. Dashiell 5/11/16  
Howard N. Dashiell, Director DATE

Budgeted:  Yes  No

Budget Unit: 3041

Line Item: 86-2193

Grant:  Yes  No

Grant No.: FHWA E76, BRLSZD-5910(042)

COUNTY OF MENDOCINO

Dan Gjerde JUN 21 2016  
By: DAN GJERDE, Chair  
BOARD OF SUPERVISORS

ATTEST:

CARMEL J. ANGELO, Clerk of said Board

By: Carmel J. Angelo  
Deputy

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

CARMEL J. ANGELO, Clerk of said Board

By: Carmel J. Angelo  
Deputy

INSURANCE REVIEW:

RISK MANAGER

By: Alan D. Flora  
ALAN D. FLORA, Risk Manager

COSULTANT: MARK THOMAS & COMPANY, INC.

By: R.M. B...

NAME AND ADDRESS OF CONTRACTOR:

Mark Thomas & Company, Inc.

7300 Folsom Boulevard, Suite 203

Sacramento, CA 95826

By signing above, signatory warrants and represents that he/she executed this Agreement in his/her authorized capacity and that by his/her signature on this Agreement, he/she or the entity upon behalf of which he/she acted, executed this Agreement

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

KATHARINE L. ELLIOTT,  
County Counsel

By: Katharine L. Elliott  
Deputy

FISCAL REVIEW:

By: [Signature]  
Deputy CEO/Fiscal

EXECUTIVE OFFICE REVIEW:

APPROVAL RECOMMENDED

By: Carmel J. Angelo  
CARMEL J. ANGELO, Chief Executive Officer

Signatory Authority: \$0-25,000 Department; \$25,001- 50,000 Purchasing Agent; \$50,001+ Board of Supervisors  
Exception to Bid Process Required/Completed