

RESOLUTION NO. 24-031

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS APPROVING AMENDMENT NUMBER 10 TO AGREEMENT NUMBER 11-056/DEPARTMENT OF TRANSPORTATION AGREEMENT NUMBER 110002, FOR ENGINEERING CONSULTANT SERVICES WITH CONSOR NORTH AMERICA INC. IN THE AMOUNT OF \$296,000, FOR A NEW AGREEMENT TOTAL OF \$1,452,500, AND AUTHORIZING A CONTINGENCY AMOUNT OF \$30,000, FOR THE DESIGN OF THE ACKERMAN CREEK BRIDGE REPLACEMENT ON NORTH STATE STREET, COUNTY ROAD 104, MILEPOST 0.97 (UKIAH AREA)

WHEREAS, the Mendocino County Department of Transportation (DOT) desires to replace the functionally obsolete bridge over Ackerman Creek on North State Street, County Road (CR) 104, Milepost (M.P.) 0.97; and

WHEREAS, the costs of construction of the Ackerman Creek Bridge on North State Street are anticipated to be paid for through the Federal Highway Administration (FHWA) Highway Bridge Program (HBP) with the local match funded through the College Redevelopment Agency grant funds, the State Transportation Improvement Program, Coronavirus Response and Relief Supplemental Appropriations Act of 2021, and the Road Fund; and

WHEREAS, by Resolution Number (No.) 11-093 (June 14, 2011), the Board of Supervisors approved BOS Agreement No. 11-056/DOT Agreement No. 110002 Quincy Engineering Inc. (Quincy), for Plans, Specifications, and Estimate (PS&E) bid package; and

WHEREAS, Quincy has since been acquired by Consor North America, Inc. (Conсор), transferring all assets including BOS Agreement No. 11-056/DOT Agreement NO. 110002 to Consor; and

WHEREAS, Amendment No. 8 of this Agreement approved the transfer of BOS Agreement No. 11-056/DOT Agreement NO. 110002 to Consor; and

WHEREAS, delays in funding required the renegotiations of Temporary Construction Easements; and

WHEREAS, these delays have increased the time and resources Consor requires to ready this project for construction, including coordination meetings, and revisions to the completed PS&E to reflect changes in Caltrans rules and regulations, which tasks are reflected in the Scope of Services attached as Exhibit A to Amendment No. 10; and

WHEREAS, Consor has agreed to complete the additional or expanded tasks as detailed in the Amendment 10 – Scope of Services for a total additional amount of \$296,000; 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 Amendments No. 1 through 10 shall be increased to a not-to-exceed amount of \$1,452,500; and

WHEREAS, DOT believes it is prudent to budget a contingency amount of \$30,000 for additional amendments for unforeseen additional work that may need to be performed under DOT Agreement No. 110002, 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. 10 to BOS Agreement No. 11-056/DOT Agreement No. 110002 with Consor North America, Inc., to amend the scope of services to include specified additional and expanded tasks and to increase the amount to be paid under the agreement by \$296,000, to a not-to-exceed amount of \$1,452,500, for plans,

specifications, and estimate bid package for the Ackerman Creek Bridge Replacement on North State Street, CR 104, M.P. 0.97, in Ukiah; and

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 amount specified above; and
3. Authorizes and directs the Chair of the Board of Supervisors to execute said Amendment No. 10 to BOS Agreement No. 11-056/DOT Agreement No. 110002 with Consor North America, Inc. on behalf of Mendocino County.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Haschak, and carried this 27th day of February, 2024, 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

MAUREEN MULHEREN, 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:
JAMES R. ROSS
Interim County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy