

**AMENDMENT TO BOARD OF SUPERVISORS
AGREEMENT NO. 17-161**

This Amendment to BOS Agreement No. 17-161 is entered into this 9th day of May 2023 by and between the COUNTY OF MENDOCINO, a political subdivision of the State of California, hereinafter referred to as "COUNTY" and Nacht & Lewis hereinafter referred to as "CONTRACTOR".

WHEREAS, BOS Agreement No. 17-161 was entered into on December 19, 2017; and

WHEREAS, upon execution of this document by the Chair of the Mendocino County Board of Supervisors and Nacht & Lewis, this document will become part of the aforementioned contract and shall be incorporated therein; and

WHEREAS, the original BOS Agreement No. 17-161 had a termination date of June 30, 2021 with a provision to review and adjust billing rates on the anniversary date of the agreement by the CONTRACTOR and the COUNTY; and

WHEREAS, the original BOS Agreement No. 17-161 was amended by amendment BOS Agreement No. 17-161-A1 increasing the compensation payable to the Contractor from \$2,910,000 to \$2,957,730 for an energy analysis of the project, and extending the termination date of the agreement from June 30, 2021 for June 30, 2023; and

WHEREAS, it is the desire of CONTRACTOR and COUNTY to extend the termination date of the agreement as amended by BOS Agreement No. 17-161-A1, from June 30, 2023, to December 31, 2025; and

WHEREAS, the County has approved Option 1 of the 2020 energy study, selecting air source heat pumps for heating and cooling the new Jail which included additional design costs in the amount of \$23,625; and

WHEREAS, Multiple and unforeseen project delays have extended the time of performance of the contract more than two years, industry labor rates have increased rapidly since the original contract was executed, and it is the desire of the Contractor and County to adopt a revised billing rate schedule attached hereto, which will apply to the Construction Document phase and subsequent phases of the work increasing contract fees by \$322,735;

NOW, THEREFORE, we agree as follows:

1. The termination date set out in the original BOS Agreement No. 17-161 will be extended from June 30, 2023 to December 31, 2025.
2. The Payment Terms in Exhibit B will be modified to replace the original cost basis assumptions hereto with the revised and superseding Attachment 1,

3. The compensation payable to the Contractor shall be increased from \$2,957,730 to \$3,304,090 for the term of this agreement.

All other terms and conditions of BOS Agreement No. 17-161 shall remain in full force and effect.

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

DEPARTMENT FISCAL REVIEW:

CONTRACTOR/COMPANY NAME:

Janette Rame 05/02/2023

DEPARTMENT HEAD DATE

By: [Signature]

Budgeted: ☐ Yes ☐ No

NAME AND ADDRESS OF CONTRACTOR:

Budget Unit: 1712 CP915

Nacht and Lewis

Line Item: 864365

600Q Street, Suite 100

Grant: ☐ Yes ☒ No

Sacramento, CA 95811

Grant No.: _____

COUNTY OF MENDOCINO

By: [Signature]
GLENN MCGOURTY, Chair
BOARD OF SUPERVISORS

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

Date: 05/09/2023

ATTEST:

DARCIE ANTLE, Clerk of said Board

COUNTY COUNSEL REVIEW:

APPROVED AS TO FORM:

By: [Signature]
Deputy 05/09/2023

CHRISTIAN M. CURTIS,
County Counsel

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

By: [Signature]
Deputy

DARCIE ANTLE, Clerk of said Board

Date: 05/02/2023

By: [Signature]
Deputy 05/09/2023

INSURANCE REVIEW:

EXECUTIVE OFFICE/FISCAL REVIEW:

By: [Signature]
Risk Management

By: [Signature]
Deputy CEO

Date: 05/02/2023

Date: 05/02/2023

Signatory Authority: \$0-25,000 Department; \$25,001- 50,000 Purchasing Agent; \$50,001+ Board of Supervisors

Exception to Bid Process Required/Completed ☐

Mendocino County Business License: Valid ☐

Exempt Pursuant to MCC Section: _____

ATTACHMENT 1

Mendocino County SB 844 Jail Project Nacht & Lewis Fee Increase Proposal Billing Rate Adjustment

Nacht & Lewis Billing Rates - 2017 and 2022

	Old Rate-2017	New Rate 2022	%Increase
Principal	\$280.00	\$345.00	23.22%
Senior Project Manager	\$205.00	\$250.00	21.95%
Senior Planner	\$200.00	\$285.00	42.50%
Project Manager	\$180.00	\$225.00	25.00%
Senior Project Architect	\$175.00	\$225.00	28.57%
Senior Project Coordinator	\$170.00	\$195.00	14.71%
Project Architect	\$165.00	\$200.00	21.21%
Project Coordinator	\$155.00	\$175.00	12.90%
Interior Designer	\$145.00	\$160.00	10.35%
Senior Design Technician II	\$140.00	\$160.00	14.29%
Senior Design Technician	\$130.00	\$145.00	11.54%
Graphic Designer	\$120.00	\$130.00	8.33%
Design Technician	\$115.00	\$130.00	13.04%
Office Manager	\$120.00	\$140.00	16.67%
Project Administrator	\$100.00	\$115.00	15.00%
Administration	\$ 85.00	\$ 95.00	11.76%