



RESOLUTION No. 23-223

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING EXECUTION OF AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES CONTRACT WITH ROBERT D. NIEHAUS, INC. FOR PROVIDING AN INDEPENDENT ECONOMIC IMPACT ANALYSIS OF THE PROPOSED IDAHO-MARYLAND MINE PROJECT IN NEVADA COUNTY TO EXTEND THE TERMINATION DATE FROM JUNE 30, 2023 TO JUNE 30, 2024

WHEREAS, the applicant Rise Grass Valley, has submitted a combined application for a Conditional Use Permit and Reclamation Plan with a Rezone, Variance, Lot Line Adjustment and Seven Management Plans (PLN19-0176, CUP19-0014, RZN19-0002, MGT19-0039, MGT19-0040, MGT20-0009, MGT20-0010, MGT20-0011, MGT20-0012, MGT20-0013, LLA20-0006, VAR19-0003, EIR19-0001) to reinstate underground mining and gold mineralization processing at the Idaho-Maryland Mine, which requires an assessment of the potential impacts to the environment (collectively “the proposed Project”); and

WHEREAS, On December 21, 2021, per Resolution 21-539, the Nevada County Board of Supervisors approved the execution of the Professional Services Contract with Robert D. Niehaus, Inc. (RDN) to provide an independent assessment of the economic impacts (costs and benefits) of proposed mining activities within the county; and

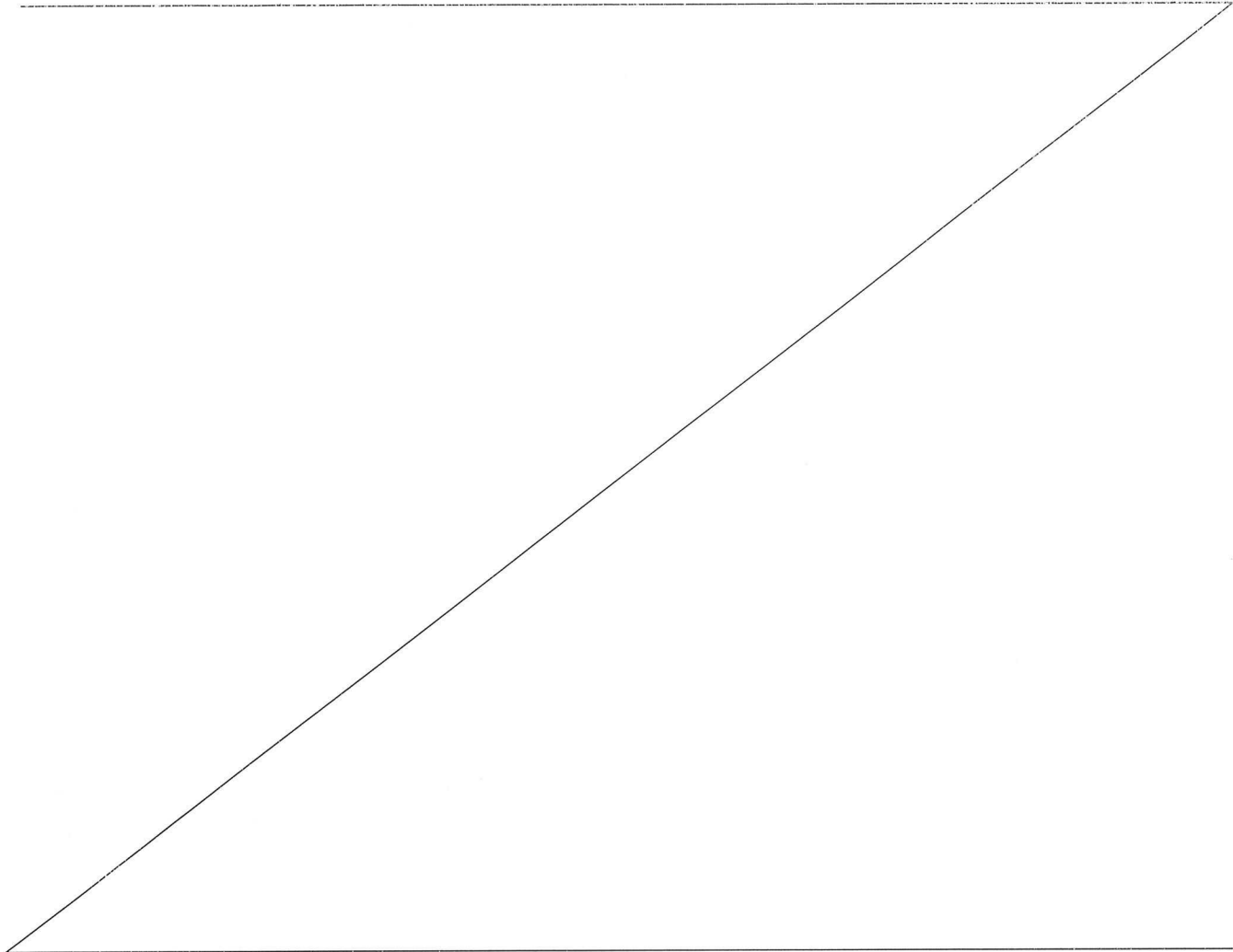
WHEREAS, On April 4, 2022, Contract Amendment No. 1 was executed as authorized by the Nevada County Purchasing Policy 7.3(d) which was adopted by the Nevada County Board of Supervisors on May 28, 2019 per Resolution 19-241 and increased the maximum contract amount from \$80,000 to \$88,000; and

WHEREAS, On June 28, 2022, per Resolution 22-337, Contract Amendment No. 2 was executed to extend the termination date from June 30, 2022 to June 30, 2023; and

WHEREAS, the parties desire to amend the Contract to increase the maximum contract amount from \$88,000 to \$94,458 and revise Exhibit “A” Schedule of Services to incorporate associated additional services.

WHEREAS, the parties desire to amend their Contract to extend to the contract termination date from June 30, 2023 to June 30, 2024; and County will hold back \$1,000.00 from final invoice to cover consultant time to participate virtually in a Board of Supervisors meeting to be scheduled in 2023. The final balance will be paid following the same Board meeting.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that Amendment No. 4 to the Professional Services Contract between the County of Nevada and Robert D. Niehaus pertaining to preparing an Economic Impact Study related to the Idaho-Maryland Mine proposed Project to extend the contract termination date to June 30, 2024 is hereby approved in substantially the form attached hereto, and that the Chair of the Board of Supervisors be authorized to execute the Contract on behalf of the County of Nevada.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 23rd day of May, 2023, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout, Susan Hoek and Hardy Bullock.


Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Edward C. Scofield, Chair

5/23/2023 cc: CEO*
AC*

**AMENDMENT NO. 4 TO
PROFESSIONAL SERVICES CONTRACT (BFS21539) WITH
ROBERT D. NIEHAUS, INC. (RDN)**

This Amendment No.4 ("Amendment") to Professional Services Contract is made and entered into effective the 23rd day of May 2023, by and between the COUNTY OF NEVADA, CALIFORNIA ("COUNTY"), and ROBERT D. NIEHAUS, INC. aka "RDN" (hereinafter "CONTRACTOR"). COUNTY and CONTRACTOR are sometimes hereinafter individually referred to as "Party" and or collectively referred to as the "Parties."

A. Recitals.

(i). COUNTY and CONTRACTOR entered a Professional Services Contract ("Contract") effective December 14, 2021 through which CONTRACTOR has been providing professional services as more fully explained in the Scope of Services attached to the Agreement as Exhibit "A."

(ii). The Contract was authorized by the Nevada County Board of Supervisors on December 14, 2021 per Resolution 21-539.

(iii). On April 4, 2022 the CEO authorized additional services of \$10,000 for a total not to exceed amount of \$80,000 per the Contract as authorized by the Board of Supervisors on December 14, per Resolution 21-539.

(iv). On April 4, 2022 Amendment No. 1 revised the Contract Schedule of Charges and Payments (Exhibit B) to increase the Maximum Fee Limit by 10 percent or \$8,000 as authorized by the Nevada County Purchasing Policy 7.3(d) which was adopted by the Nevada County Board of Supervisors on May 28, 2019 per RES 19-241.

(v). On June 28, 2022, per Resolution 22-337, Amendment No. 2 was executed and extended the term of the agreement from June 30, 2022 through June 30, 2023.

(vi). On December 13, 2022, per Resolution 22-624, Amendment No. 3 was executed to amend the Contract Schedule of Charges and Payments (Exhibit B) to increase the Maximum Fee from \$88,000 to \$94,458 (increase of \$6,458).

(vii). The parties now seek to extend the term of the agreement from June 30, 2023 through June 30, 2024.

(viii). All legal prerequisites to the making of this Amendment have occurred.

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth herein, the Parties agree as follows:

B. Amendment to Agreement.

1. REVISE Section 3 Term of the Agreement to read as follows:

Term: This Contract shall commence on 12/14/2021. All services required to be provided by this

Contract shall be completed and ready for acceptance no later than the Contract Termination Date of: June 30, 2024.

2. Revise Exhibit B, Schedule of Charges and Payments, to read as follows: County will hold back \$1,000.00 from final invoice to cover consultant time to participate virtually in a Board of Supervisors meeting to be scheduled in 2023. The final balance will be paid following the same Board meeting.
3. That in all other respects the prior Contract of the Parties shall remain in full force and effect except as amended herein.

IN WITNESS WHEREOF, the Parties have caused Amendment No. 4 to the Professional Services Contract are to be executed as of the day and year above as written.

COUNTY OF NEVADA:

By: Ed Scofield Date: 05/23/2023
Ed Scofield (May 23, 2023 15:29 PDT)

Printed Name/Title: Honorable Edward C. Scofield, Chair, Board of Supervisors

By: Julie Patterson Hunter

Attest: Julie Patterson Hunter, Clerk of the Board of Supervisors

Approved as to Form – County Counsel:

By: Kit Elliott Date: 05/23/2023
Kit Elliott (May 23, 2023 19:32 PDT)

CONTRACTOR: Robert D. Niehaus (RDN)

By: Jack Lyon Date: 05/05/2023
Jack Lyon (May 5, 2023 10:00 PDT)

Name: Jack Lyon

* Title: Director of Business Director of Business Development

By: Ian Monsma Date: 05/10/2023
Ian Monsma (May 10, 2023 14:46 PDT)

Name: Ian Monsma

* Title: Program Manager