



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 4 TO PERSONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND ABBOTT & KINDERMANN, INC. FOR LEGAL SERVICES RELATED TO THE IDAHO-MARYLAND MINE – RISE GRASS VALLEY PROJECT, INCREASING THE CONTRACT PRICE BY \$275,000 FOR A MAXIMUM CONTRACT AMOUNT OF \$650,000; AMENDING THE SCHEDULE OF SERVICES AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE AMENDMENT (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, on May 1, 2020, by Resolution 20-152, the parties executed a Personal Services Contract [BM220152] with Abbott & Kindermann, Inc., for legal services in connection with the land use and CEQA services to the County in conjunction with the Idaho Maryland Mine and any related litigation actions; and

WHEREAS, by Resolution 22-276, the parties agreed to extend the term of the Contract from June 30, 2022 to June 30, 2023; and

WHEREAS, by Resolution 23-150, the parties agreed to increase the Contract price by \$100,000 for a maximum Contract amount of \$250,000 and extend the Contract term to June 30, 2024; and

WHEREAS, by Resolution 23-428, the parties agreed to increase the Contract price by \$125,000 for a maximum Contract amount of \$375,000 and amend the Schedule of Services;

WHEREAS, the matter is ongoing, and an increase of the Contract amount is necessary to provide for continued services under this Contract; and

WHEREAS, the County desires that the Contractor continue to provide legal services related to the continued project, and Contractor is ready, willing and able to provide such services; and

WHEREAS, the parties now desire to amend the Contract to increase the Contract amount by \$275,000, for a maximum Contract amount of \$650,000; and

WHEREAS, the contract amount is to be paid by the Project applicant, but the County may incur its own costs, not to exceed \$50,000; and

WHEREAS, the parties desire to amend the Schedule of Services as outlined in Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Nevada hereby approves in the form attached hereto as Exhibit A that Amendment No. 4 to Personal Services Contract by and between the County of Nevada and Abbott Kindermann, Inc.,

increasing the Contract amount by \$275,000 for a maximum Contract amount of \$650,000, and hereby authorizes the Chair of the Board of Supervisors to execute the Amendment (4/5 affirmative vote required).

BE IT FURTHER RESOLVED, that these legal services contract expenses are to be paid by the proposed Project applicant, however, the County may incur some costs, not to exceed \$50,000, and pursuant to the attached Amendment No. 4 to the Personal Services Contract, the Planning Department is authorized to accept the deposit from the applicant in an amount equal to the maximum contract price identified in the attached Amendment No. 4 to the Personal Services Contract. The Auditor-Controller is hereby directed to amend the Planning Department Fiscal Year 2023/2024 budget as follows:

Planning Department 1123-20708-325-2000/458010 \$275,000
Planning Department 1123-20708-325-2000/521520 \$275,000