



# RESOLUTION No. 21-374

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**RESOLUTION APPROVING EXECUTION OF AMENDMENT NO. 1 TO THE CONTRACT WITH REM CONSTRUCTION, INC., FOR THE ODYSSEY HOUSE RENOVATION PROJECT IN THE AMOUNT OF \$3,157,191 PLUS A CONTINGENCY OF \$269,831, FOR A TOTAL CONTRACT MAXIMUM OF \$3,427,022, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE CONTRACT AMENDMENT AND AUTHORIZING AND DIRECTING THE AUDITOR-CONTROLLER TO AMEND THE HOUSING AND COMMUNITY SERVICES DEPARTMENT'S BUDGET FOR FISCAL YEAR 2021/22 (4/5 AFFIRMATIVE VOTE REQUIRED) (RES. 20-392)**

WHEREAS, on September 1, 2020, per Resolution 20-392, the Nevada County Board of Supervisors approved the Contract between the County and REM Construction, Inc. for the Odyssey House Renovation Project; and

WHEREAS, during the demolition phase of the project unforeseen structural deficiencies along with unstable soil conditions were discovered which required significant changes to the renovation project, including complete demolition of the original structure, substantial soil remediation and installation of a new foundation system; and

WHEREAS, the COVID-19 pandemic has created additional challenges in obtaining supplies and materials which has affected the project beyond the original scope of the contract; and

WHEREAS, the Project is approximately 50% complete with construction cost incurred thus far in the amount of \$1,361,785 which includes \$340,934 in completed change orders; and

WHEREAS, REM Construction, Inc has the experience and ability to provide these services; and

WHEREAS, the additional services require an increase to the maximum contract amount to \$3,427,022 (an increase of \$458,877); and

WHEREAS, funding for this project will be paid out of the Fiscal Year 2021-22 Housing and Community Services budget and a budget amendment is required.

NOW, THEREFORE, BE IT RESOLVED that the Nevada County Board of Supervisors, of the County of Nevada, State of California, hereby directs that Amendment No. 1 to the contract with REM Construction, Inc. for the Odyssey House Renovation Project located at 995 Helling Way, Nevada City, California, increasing the maximum Contract amount to \$3,157,191 plus a contingency of \$269,831, for a total contract amount of \$3,427,022, be and hereby is approved in substantially the same form attached hereto, and that the Chair of the Board of Supervisors is authorized to execute Amendment No. 1 on behalf of the County of Nevada.

BE IT FURTHER RESOLVED that the Auditor-Controller is authorized and directed to amend the Housing and Community Services Department's Budget for the Fiscal Year 2021/22 as follows:

Fiscal Year 2021/22

Revenue	1589-50601-451-4000 / 446690	\$1,000,000
Expenditure	1589-50601-451-4000 / 540300	\$1,000,000

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 24<sup>th</sup> day of August, 2021, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Dan Miller, Chair

9/1/2021 cc: Housing\*  
AC\* (Release)

8/24/2021 cc: Housing\*  
AC\* (Hold)

**AMENDMENT NO. 1 TO THE CONTRACT WITH REM  
CONSTRUCTION, INC.  
(RES. 20-392)**

**THIS AMENDMENT** is dated this 24<sup>TH</sup> day of August 2021 by and between REM Construction, Inc., hereinafter referred to as "Contractor", and County of Nevada, hereinafter referred to as "County". Said Amendment will amend the prior Agreement between the parties entitled Standard Public Works Contract, executed on September 1, 2020, per Resolution No. 20-392.

**WHEREAS**, the parties desire to amend their agreement to 1.) amend the Maximum Contract Amount from \$2,698,314 to \$3,157,191 (an increase of \$458,877) plus a contingency of \$269,831, for a total contract amount of \$3,427,022, for additional services.

**NOW, THEREFORE**, the parties hereto agree as follows:

- 1) That Amendment No. 1 shall be effective as of August 24, 2021.
- 2) That the Maximum Contract Amount, shall be changed to the following: \$3,157,191 plus a contingency of \$269,831, for a total contract amount of \$3,427,022.
- 3) That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

CONTRACTOR:

By: David Schell  
David Schell  
REM Construction, Inc.  
Licensed in accordance with an act providing  
for the registration of Contractors  
License Number: 268689  
Telephone No: 530-876-1363

Department of Industrial Relations  
Registration No.: 1000014954

COUNTY OF NEVADA:

By: Dan Miller  
Honorable Dan Miller  
Chair, Board of Supervisors

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