



RESOLUTION No. 19-245

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 2 TO THE CONTRACT BETWEEN THE COUNTY OF NEVADA AND KIMLEY-HORN AND ASSOCIATES INC., FOR THE PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE COMMERCIAL CANNABIS CULTIVATION ORDINANCE, IN AN AMENDED MAXIMUM AMOUNT NOT TO EXCEED \$288,310 FOR FISCAL YEAR 2018/19, AND AUTHORIZING THE CHAIR OF THE BOARD OF SUPERVISORS TO EXECUTE THE AMENDMENT

WHEREAS, with Resolution 18-328, the County of Nevada contracted with Kimley-Horn and Associates, Inc. for the preparation of an Environmental Impact Report for the proposed Nevada County Commercial Cannabis Cultivation Ordinance in the amount of \$255,985; and

WHEREAS, the Board of Supervisors approved contract Amendment No. 1 with Resolution 18-606 to add \$25,000 to the maximum contract amount in order to cover additional costs associated with a modified project description, extra groundwater analysis, and additional time to respond to an unexpectedly large amount of public comments; and

WHEREAS, due to the necessity of printing a two-volume final environmental impact report and additional time required by subconsultants to prepare for and attend public hearings, additional costs were incurred; and

WHEREAS, there is sufficient budget in the affected budget to cover the increased cost of the contract; and

WHEREAS, the maximum contract amount will be increased by \$7,325 and the maximum contract amount will not exceed \$288,310, and will be paid from budget code 1123-20711-326-1000/521520.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Supervisors, of the County of Nevada, State of California, approves contract Amendment No. 2 between the County of Nevada and Kimley-Horn and Associates, Inc. for Fiscal Year 2018/19 increasing the maximum amount of the contract to \$288,310 and authorizes the Chair of the Board of Supervisors to execute the contract.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 11th day of June, 2019, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: _____



6/11/2019 cc: Planning*
AC* (hold)



Richard Anderson, Chair

6/18/2019 cc: Planning*
AC* (Release)
K-H & Assoc., Inc.

PERSONAL SERVICES CONTRACT

County of Nevada, California

AMENDMENT NO. 2 TO THE PERSONAL SERVICES CONTRACT WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR PREPARATION OF THE COMMERCIAL CANNABIS CULTIVATION ORDINANCE ENVIRONMENTAL IMPACT REPORT

THIS AMENDMENT NO. 2 is made and is effective as of June 11, 2019, by and between Kimley-Horn and Associates, Inc., ("Contractor"), and the County of Nevada ("County"). This Amendment No. 2 amends the Personal Services Contract between the parties for preparation of the Commercial Cannabis Cultivation Ordinance Environmental Impact Report approved on June 26, 2018, by Resolution 18-328 and amended on December 11, 2018 by Resolution 18-606 ("Agreement").

WHEREAS:

- A. The parties have entered into an Agreement for the preparation of an Environmental Impact Report for the Commercial Cannabis Cultivation Ordinance; and,
- B. Additional printing costs and time and preparation for public hearings for the Environmental Impact Report is required; and
- C. The parties now seek to amend Exhibit "B", Schedule for Compensation and Delivery to increase the contract price by \$7,325, for a maximum contract price of \$288,310.

NOW, THEREFORE, IT IS AGREED by the parties as follows:

- 1. That Exhibit "B" Schedule for Compensation and Delivery is hereby amended to increase the contract price by \$7,325 for a maximum contract price of \$288,310, as set forth and attached hereto as Exhibit "A."
- 3. That in all other respects the prior Agreement of the parties shall remain in full force and effect except as amended herein.

EXECUTION:

CONTRACTOR

Kimley-Horn and Associates, Inc.

Name: [Signature]

Title: Associate P.E. # 68862

Dated: 6/13/19

COUNTY OF NEVADA

[Signature]

Name: Richard Anderson
Chair, Board of Supervisors

Dated: 6/18/2019

Attest: [Signature]
Julie Patterson-Hunter
Clerk of the Board

Justification Statement:

This proposed budget amendment request is to address additional fees related to reproduction costs and subconsultant costs related to hearing attendance. This request for authorization of additional budget is sought for the following reasons:

- Additional printing costs related to the final EIR. The Final EIR had two large volumes of that resulted in increased printing costs from what was estimated in the original scope of work.
- Additional budget for subconsultant cost associated with Planning Commission and Board of Supervisors hearing attendance.

Consultant shall perform the following Additional Services:

Task 1.0: Additional Budget for Reproduction Costs

Increase budget for reproduction costs by \$3,800.

Fee: \$3,800

Task 2.0: Additional Budget for Tully & Young

Add additional budget for Tully and Young to attend respond to comments and attend Planning Commission and Board of Supervisors Hearings.

Fee: \$3,525

Total Fee Requested \$7,325.