



# RESOLUTION No. 22-337

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

### RESOLUTION APPROVING EXECUTION OF AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES CONTRACT WITH ROBERT D. NIEHAUS (RDN) PERTAINING TO EXECUTION OF AN INDEPENDENT ECONOMIC IMPACT ANALYSIS OF THE PROPOSED IDAHO-MARYLAND MINE PROJECT IN NEVADA COUNTY (RES. 21-539) TO EXTEND THE CONTRACT TERMINATION DATE FROM JUNE 30, 2022 TO JUNE 30, 2023

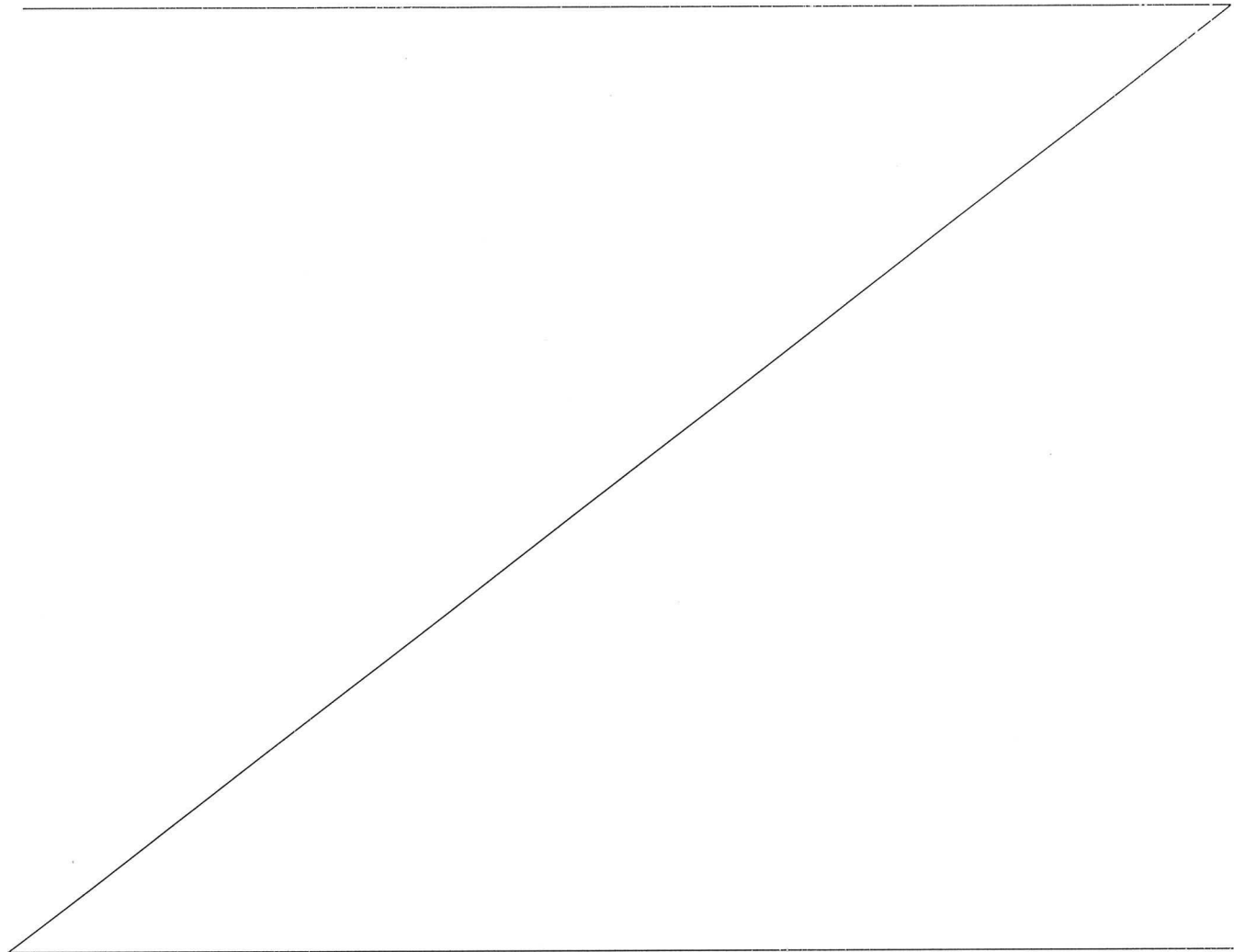
WHEREAS, the applicant Rise Grass Valley, has submitted a combined application for a Conditional Use Permit and Reclamation Plan with a Rezone, Variance, Lot Line Adjustment and Seven Management Plans (PLN19-0176, CUP19-0014, RZN19-0002, MGT19-0039, MGT19-0040, MGT20-0009, MGT20-0010, MGT20-0011, MGT20-0012, 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 (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, the parties desire to amend their Contract to extend to the contract termination date from June 30, 2022 to June 30, 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that Amendment No. 2 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, 2023 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 28th day of June, 2022, 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: 

  
Susan K. Hoek, Chair

6/28/2022 cc: CEO\*  
AC\*(hold)

10/17/2022 cc: CEO\*  
AC\*(release)

**AMENDMENT NO. 2 TO  
PROFESSIONAL SERVICES CONTRACT (BFS21539) WITH  
ROBERT D. NIEHAUS, INC. (RDN)**

This Amendment No.2 ("Amendment") to Professional Services Contract is made and entered into effective the 28<sup>th</sup> day of June 2022, 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). The parties now seek to amend the Contract to extend the term of the agreement from June 30, 2022 through June 30, 2023.

(vi). 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, 2023.

2. 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. 1 to the Professional Services Contract are to be executed as of the day and year above as written.

**COUNTY OF NEVADA:**

By: *Susan Hoek* Date: 10/17/2022  
Susan Hoek (Oct 17, 2022 12:18 PDT)

Printed Name/Title: Honorable Sue Hoek, 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: *KL Elliott* Date: 10/17/2022  
KL Elliott (Oct 17, 2022 12:51 PDT)

**CONTRACTOR: Robert D. Niehaus (RDN)**

By: *Jack Lyon* Date: 10/14/2022  
Jack Lyon (Oct 14, 2022 15:48 PDT)

Name: Jack Lyon

\* Title: Director of Business Development

By: *Robert Niehaus* Date: 10/14/2022  
Robert Niehaus (Oct 14, 2022 15:50 PDT)

Name: Robert Niehaus

\* Title: Managing Director