



RESOLUTION No. 17-162

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION AUTHORIZING EXECUTION OF AMENDMENT NO. 1 TO THE CONTRACT BETWEEN THE COUNTY AND MICHAEL BAKER INTERNATIONAL, DATED DECEMBER 8, 2015, TO RENEW THE CONTRACT EXTENDING THE CONTRACT TERMINATION DATE TO DECEMBER 31, 2017 AND TO INCREASE THE OVERALL COMPENSATION AMOUNT BY \$24,681 FOR A MAXIMUM CONTRACT PRICE OF \$175,886 AND REQUESTING A BUDGET AMENDMENT TO THE PLANNING DEPARTMENT FISCAL YEAR 2016/2017 BUDGET (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, the Board of Supervisors on December 8, 2015 approved Resolution 15-548, which authorized a contract between the County of Nevada and Michael Baker International pertaining to the preparation of an Environmental Impact Report for Simon CRE who proposed Development Permits (DP14-001; DP15-001; DP15-004) to construct three Dollar General retail stores at three different locations and Management Plans (MGT14-010; MGT15-013) addressing proposed disturbance to a landmark oak grove, individual landmark oaks, wetlands, and the non-disturbance buffer of a seasonal creek (collectively "the proposed Project"); and

WHEREAS, the expiration date for the Contract expired on December 31, 2016, and the Environmental Impact Report (EIR) has not been completed thus requiring a renewal of the contract; and

WHEREAS, Michael Baker International has completed tasks the Administrative Draft EIR and utilized funds allocated to the preparation of the Final EIR as compensation for this work, as agreed to by the County and Applicant; and

WHEREAS, Michael Baker International is now working on the Final EIR and has requested a budget amendment to recoup costs associated with work already completed, and to allow them to complete the Final EIR; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the County Board of Supervisors:

1. Approves Contract Amendment No. 1 and authorizes the Chair of the Board of Supervisors to execute, on behalf of the County of Nevada, the amendment between Nevada County and Michael Baker International.

2. Directs the Auditor-Controller to amend the Fiscal Year 2016/17 Planning Department budget increasing the following revenue and expenditure accounts:

Planning Department 1123 20708 325 2000/458010	\$24,681
Planning Department 1123 20708 325 2000/521520	\$24,681

3. Approves the renewal of the contract by extending the contract expiration date from December 31, 2016 to December 31, 2017.

4. Approves the increasing of the maximum not-to-exceed contract amount to \$175,886 requiring an additional payment of \$24,681 from the Applicant.

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 April, 2017, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Hank Weston, Chair

4/11/2017 cc: Planning*
AC* (Hold)

4/17/2017 cc: Planning*
AC* (Release)
MBI, Inc.

**AMENDMENT NO. 1 TO THE CONTRACT WITH
MICHAEL BAKER INTERNATIONAL**

THIS AMENDMENT is executed this 11th day of April, 2017, by and between MICHAEL BAKER INTERNATIONAL and COUNTY OF NEVADA. Said Amendment will amend the prior agreement between parties entitled "Preparation of the Dollar General Environmental Impact Report (EIR15-001) on behalf of Simon CRE," executed on December 8, 2015 by Resolution No. 15-548.

WHEREAS, the parties desire to amend their agreement; and

WHEREAS, this amendment shall be effective when signed by both parties; and

NOW, THEREFORE, the parties hereto agree as follows:

1. Increase the total maximum not-to-exceed contract amount from \$151,205 to \$175,886 requiring an additional payment of \$24,681 from the Applicant.
2. Renew the contract by extending the expiration date from December 31, 2016 to December 31, 2017.
3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

COUNTY OF NEVADA

BY: _____

Hank Weston
Honorable Hank Weston
Chair of the Board of Supervisors

ATTEST:

By: _____

Jane Parker
Clerk of the Board of Supervisors

CONTRACTOR:

By: _____

Vice President
Title: _____
Michael Baker International