



# COUNTY OF HUMBOLDT

## Legislation Details (With Text)

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**Title:** Second Amendment to the Agreement for Consultant Services with Mark Thomas & Company, Inc. Regarding the Provision of On-Call professional Design Engineering Services and/or Environmental Services

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Agreement for On Call Design Consultant Services\_Executed 180109.pdf, 3. First Amendment to Mark Thomas On-Call Design Engineering Services Agreement\_Executed\_180410.pdf, 4. Second Amendment to Mark Thomas On-Call Design engineering services agreement.pdf, 5. COI\_Mark Thomas & Co\_2020.pdf, 6. Executed Second Amendment to Mark Thomas On-Call Design engineering services agreement.pdf

Date	Ver.	Action By	Action	Result
12/16/2019	1	Board of Supervisors	approved	Pass

**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**SUBJECT:**

Second Amendment to the Agreement for Consultant Services with Mark Thomas & Company, Inc. Regarding the Provision of On-Call professional Design Engineering Services and/or Environmental Services

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve, authorize the Chair of the Board to execute, the attached second amendment to the agreement for consultant services with Mark Thomas & Company, Inc. regarding the provision of on-call professional design engineering services and/or environmental services; and
2. Direct the Clerk of the Board to return two (2) fully executed original copies of the attached second amendment to the Department of Public Works for further processing.

**SOURCE OF FUNDING:**

Roads Fund (1200); Federal Highway Administration (“FHWA”) Storm Damage Funds, Federal Emergency Management Agency (“FEMA”) and California Office of Emergency Services (“Cal OES”).

DISCUSSION:

On June 27, 2017, the Humboldt County Department of Public Works issued a Request for Qualifications (“RFQ”) for the purpose of selecting a qualified consultant who would be available to meet the department’s design engineering needs. The RFQ followed the selection process set forth in Chapter 10 of the California Department of Transportation’s Local Assistance Procedures Manual. The statements of qualifications submitted in response to the RFQ for on-call professional design engineering services and/or environmental services were evaluated and ranked by the selection committee. The highest-ranking consultant was Mark Thomas & Company, Inc. and the final ranking of the statement of qualifications was issued on August 18, 2017.

On January 9, 2018, the Humboldt County Board of Supervisors approved, and authorized the Chair of the Board to execute, a consultant services agreement with Mark Thomas & Company, Inc. regarding the provision of professional design engineering services and/or environmental services on an on-call basis (Attachment 1). The maximum amount payable for the services rendered, and costs and expenses incurred, pursuant to the terms and conditions of the consultant services agreement with Mark Thomas & Company, Inc. was One Million Five Hundred Thousand Dollars (\$1,500,000).

On April 10, 2018, The Humboldt County Board of Supervisors approved and authorized the Chair of the Board to execute the attached first amendment (Attachment 2) which increased the maximum amount payable under the consultant services agreement with Mark Thomas & Company by One Million Dollars (\$1,000,000). This increase allowed for the provision of additional design engineering services required to complete storm damage repairs and other necessary tasks, including, without limitation, Americans with Disabilities Act Curb Ramp Design, Redwood Drive Complete Streets, Redway Transfer Station, Highway Safety Improvement Program grant application and funding and on-call construction management services.

The attached second amendment (Attachment 3) to the consultant services agreement with Mark Thomas & Company, Inc. will extend the term of the agreement to five (5) years. The term extension will allow for the provision of engineering services required to finish the projects and services list above without a change to the maximum amount payable.

Accordingly, staff recommends that the Board of Supervisors approve, and authorize the Chair of the Board to execute, the attached second amendment to the consultant services agreement with Mark Thomas & Company, Inc. regarding the provision of on-call professional design engineering services and/or environmental services.

FINANCIAL IMPACT:

As noted above, the attached second amendment to the consultant services agreement with Mark Thomas & Company, Inc. will not change the maximum amount payable thereunder.

Funding for the on-call professional design engineering services and/or environmental services provided pursuant to the terms and conditions of the consultant services agreement with Mark Thomas & Company, Inc. is dependent on the type of project for which the services are provided. FHWA funded storm damage and earthquake damage projects are 88.53 percent funded by FHWA and the remaining 11.47 percent is funded by the Humboldt County Roads Fund. FEMA funded storm

damage projects are 75.00 percent funded by FEMA, 18.75 percent is funded by Cal OES and the remaining 6.25 percent is funded by the Humboldt County Roads Fund. There is no financial commitment until a task order has been issued for a specific roadway design and construction project.

Expenditure appropriations related to the attached second amendment to the consultant services agreement with Mark Thomas & Company Associates, Inc. have been included in the approved fiscal year 2019-2020 budget for Road Fund budget unit 1200321-2118. As a result, approval of the attached second amendment to the consultant services agreement with Mark Thomas & Company, Inc. will not impact the Humboldt County General Fund.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors' Strategic Framework by providing for and maintaining infrastructure.

OTHER AGENCY INVOLVEMENT:

California Department of Transportation, Federal Highway Administration, Federal Emergency Management Agency, California Office of Emergency Services

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached second amendment to the consultant services agreement with Mark Thomas & Company, Inc. regarding the provision of on-call professional design engineering services and/or environmental services. However, this alternative is not recommended since the county has limited staff to perform design engineering services and/or environmental services for the large backlog of storm damage roadway projects.

ATTACHMENTS:

1. Agreement for Consultant Services with Mark Thomas & Company, Inc. Regarding the Provision of On-Call Professional Design Engineering Services and/or Environmental Services dated January 9, 2018
2. First Amendment to the Agreement for Consultant Services with Mark Thomas & Company, Inc. Regarding the Provision of On-Call Professional Design Engineering Services and/or Environmental Services dated January 9, 2018
3. Second Amendment to the Agreement for Consultant Services with Mark Thomas & Company, Inc. Regarding the Provision of On-Call Professional Design Engineering Services and/or Environmental Services dated January 9, 2018
4. Certificates of Liability Insurance for Mark Thomas & Company, Inc.

PREVIOUS ACTION/REFERRAL:

Board Order No.: C39, C21, C13

Meeting of: June 27, 2017; January 9, 2018; April 10, 2018

File No.: N/A