

RESOLUTION NO. .

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION AUTHORIZING THE COUNTY MANAGER, OR HIS DESIGNEE, TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE SAN MATEO COUNTY EXPOSITION AND FAIR ASSOCIATION, AND ANY OTHER APPROPRIATE DOCUMENTATION, TO EFFECTUATE THE TRANSFER OF \$2,933,482 TO BE USED FOR REPAIR OF THE PARKING AREAS ON COUNTY-OWNED LAND

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

WHEREAS, The County of San Mateo (“County”) is the owner of certain property known and designated as the San Mateo County Event Center (“Event Center”), in the City of San Mateo, which is used for conferences, conventions and expositions; and

WHEREAS the Event Center is managed by a non-profit organization, the San Mateo County Exposition and Fair Association (“Association”), pursuant to the “Agreement Providing for Conduct of San Mateo County Fair and for Management of Event Center” (the “Event Center Management Agreement”), various forms of which have been in place since 1984; and

WHEREAS the Event Center Management Agreement contains provisions for the use, maintenance, and improvement of the Event Center, including that the County has ownership and control of all the Event Center property, that the County and Association will jointly perform major maintenance and capital improvements of all Event Center buildings and grounds, and that the Association is responsible for the

administration and supervision of all major maintenance or capital improvements that the County elects to undertake to its Event Center property; and

WHEREAS the Association has identified a need to make improvements to the east parking lot surfaces at the Event Center, which have become increasingly uneven through normal aging and wear and tear;

WHEREAS improving the Event Center is in the interest of the County, which owns the property, in that it helps maintain and ensure the safety of that property by rehabilitating and repaving the Event Center's east parking lot;

WHEREAS the project to rehabilitate and repave the Event Center's east parking lot (the "Event Center Pavement Rehabilitation Project") falls within the scope of Section 9 of the Event Center Management Agreement, and thus will be administered and supervised by the Association;

WHEREAS the Association has entered into an Individual Project Agreement with the California Fairs Financing Authority ("CFFA") at its own expense to perform Event Center Pavement Rehabilitation Project services and work including project management, plan review and approval, bid management, and construction inspections;

WHEREAS the CFFA in turn solicited bids from qualified bidders, and—on June 5, 2017—notified the lowest qualified bidder, O.C. Jones & Sons, of its intent to select O.C. Jones & Sons to perform contract services for the Event Center Pavement Rehabilitation Project pursuant to an agreement between CFFA as the Association's project manager and the selected contractor ("Agreement");

WHEREAS O.C. Jones & Sons' winning bid amount of \$2,793,793.10 for materials, costs, and labor, was substantially lower than the next lowest bidder;

WHEREAS the start date for O.C. Jones & Sons to commence work on the Event Center Pavement Rehabilitation Project is July 24, 2017, with a scheduled completion date of August 31, 2017, and time is of the essence;

WHEREAS there has been presented to this Board of Supervisors a Memorandum of Understanding documenting the County's and the Association's agreement on various matters with regard to the costs, administration and supervision of the Event Center Pavement Rehabilitation Project; and

WHEREAS the County Manager seeks approval from the Board of Supervisors to execute the Memorandum of Understanding, and any other documentation as may be necessary or advisable, with the Association to effectuate the transfer of an amount not to exceed \$2,933,482.75, comprising the winning bid amount of \$2,793,793.10 plus an additional 5% contingency of \$139,689.65, to fund and effectuate the Event Center Pavement Rehabilitation Project, with the Association agreeing to remit to the County the remaining balance of funds, including any interest earned, upon completion of the project.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that this Board of Supervisors hereby authorizes and directs the County Manager, or his designee, to execute a Memorandum of Understanding and any other documentation as may be necessary or advisable with the San Mateo County Exposition and Fair Association to

effectuate the transfer of \$2,933,482.75 to be used for Event Center Pavement Rehabilitation Project.

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