

RESOLUTION NO. _____

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

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RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT WITH CSW|ST2 TO PROVIDE FOR THE PROFESSIONAL SERVICES REQUIRED TO PERMIT AND CONSTRUCT THE TUNITAS CREEK BEACH IMPROVEMENT PROJECT, TO INCREASE THE CONTRACT AMOUNT BY \$264,000 FOR A NEW TOTAL NOT-TO-EXCEED AMOUNT OF \$1,379,870, AND TO EXTEND THE AGREEMENT’S TERM TO DECEMBER 31, 2024; AND B) THE PARKS DIRECTOR, OR THE PARKS DIRECTOR’S DESIGNEE, TO EXECUTE FURTHER AMENDMENTS TO THE AGREEMENT TO MODIFY THE COUNTY’S MAXIMUM FISCAL OBLIGATION BY NO MORE THAN \$25,000 (IN AGGREGATE), AND/OR TO MODIFY THE AGREEMENT’S TERMS AND/OR SERVICES, SO LONG AS THE MODIFIED TERM(S) AND/OR SERVICES IS/ARE WITHIN THE CURRENT OR REVISE FISCAL PROVISIONS

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

WHEREAS, as authorized by County Board Resolution No. 076842, on or about August 6, 2019, the County and CSW|ST2 entered into Agreement No. 39000-22-R076842 (“Agreement”) by which CSW|ST2 agreed to provide services to plan, permit, and design the Tunitas Creek Beach Improvement Project (“Project”), for the initial term of August 6, 2019 through August 6, 2022, in an amount not-to-exceed \$939,470; and

WHEREAS, consistent with the authority granted to the County Parks Department by this Board through Resolution No. 076842, on or about March 9, 2020, the County and CSW|ST2 entered into the First Amendment to the Agreement to increase the maximum compensation payable by the County to CSW|ST2 under the Agreement by \$10,400, to a not-to-exceed amount of \$949,870; and

WHEREAS, as authorized by County Board Resolution No. 079011, on or about June 28, 2022, the County and CSW|ST2 entered into the Second Amendment to the Agreement to revise the Scope of Work to include additional services to the project, increase the County's maximum compensation payable by the County to CSW|ST2 under the agreement by \$166,000 to a not-to-exceed amount of \$1,115,870, and extended the term of the Agreement an additional fourteen (14) months through December 31, 2023; and

WHEREAS, On June 13, 2023, this Board executed an agreement with Gordon N Ball Inc for the construction of the Tunitas Creek Beach Improvement Project as designed by CSW|ST2; and

WHEREAS, on or about June 15, 2023, the County and CSW|ST2 discussed the need to expand the Agreement's Scope of Work to include additional engineering services required to complete the Project, including: (1) pre-construction services to ensure construction complies with the design intent as proposed by CSW|ST2 and (2) geotechnical and environmental services during the construction phase; and

WHEREAS, the County and CSW|ST2 therefore desire to enter into a Third Amendment to the Agreement: (1) to revise the Agreement's Scope of Work to include the additional services described above; (2) to increase the maximum compensation payable to CSW|ST2 by \$264,000, to a total not-to-exceed amount of \$1,379,870; and (3) to extend the term of the Agreement an additional twelve (12) months to December 31, 2024; with all other terms of the Agreement unchanged; and

WHEREAS, this Board has been presented with a form of the Third Amendment to the Agreement, has examined and approved it as to both form and content, and desires to enter into it.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:

1. The President of the Board of Supervisors is authorized to execute a Third Amendment to the Agreement with CSW|ST2: (1) to provide for additional professional services required to permit and construct the Tunitas Creek Beach Improvement Project, (2) to increase the contract amount by \$264,000 to a total amount not to exceed \$1,379,870, and (3) to extend the agreement's term to December 31, 2024; and
2. The Parks Director, or the Parks Director's designee, is authorized to execute further amendments to the agreement to modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the agreement's terms and/or services, so long as the modified term(s) and/or services is/are within the current or revised fiscal provisions.

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