

**AMENDMENT THREE TO AGREEMENT  
BETWEEN THE COUNTY OF SAN MATEO AND  
VANIR CONSTRUCTION MANAGEMENT, INC.**

THIS AMENDMENT TO THE AGREEMENT, entered into this 2<sup>nd</sup> day of August 2022, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Vanir Construction Management, Inc., hereinafter called "Contractor";

**W I T N E S S E T H:**

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, the parties entered into an Agreement for on call project management services on multiple construction projects in the amount not to exceed \$2,016,944 on August 3, 2017; and

WHEREAS, the parties wish to amend the Agreement to increase the contract value by \$1,080,000 for a new not to exceed amount of \$4,468,944; and

WHEREAS, the parties wish to amend the Agreement to extend the Term through February 28, 2025; and

WHEREAS, the parties wish to amend the Agreement to the terms in Exhibit B "Fee Schedule and Terms", and B-1 "Rates".

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

1. Section 3, Payments, of the agreement is amended to read as follows:

In consideration of the services provided by Contractor in accordance with all terms, conditions, and specifications set forth in this Agreement and in Exhibit A, County shall make payment to Contractor based on the rates and in the manner specified in Exhibit B. County reserves the right to withhold payment if County determines that the quantity or quality of the work performed is unacceptable. In no event shall County's total fiscal obligation under this Agreement exceed FOUR MILLION FOUR HUNDRED SIXTY-EIGHT THOUSAND NINE HUNDRED FORTY-FOUR DOLLARS AND NO CENTS (\$4,468,944.00). In the event that the County makes any advance payments, Contractor

agrees to refund any amounts in excess of the amount owed by the County at the time of contract termination or expiration. Contractor is not entitled to payment for work not performed as required by this agreement.

2. Section 4, Term, of the agreement is amended to read as follows:

“Subject to compliance with all terms and conditions, the term of this Agreement shall be from March 1, 2020 through February 28, 2025”.

3. Original Exhibit B, Fee Schedule and Terms, paragraph #4 is hereby replaced with the following:

In no event shall this agreement exceed \$4,468,944.00.

4. Delete in full “Exhibit B-1 Rates (Revised 12/1/2020)” and replace with the updated Exhibit B-1 Rates (Revised 8/2/2022) below.



Construction Management, Inc.

Team Rates

County of San Mateo Project Development Unit

\* Vanir did not escalate rates in 2022

POSITIONS	HOURLY RATES			
	2021	2022*	2023	2024
Project Executive	\$228	\$228	\$235	\$242
Senior Project Manager	\$193	\$193	\$199	\$205
Assistant Project Manager	\$113	\$113	\$116	\$119
Senior Project Engineer	\$105	\$105	\$108	\$111
Project Engineer	\$98	\$98	\$101	\$104
Documents Controls Specialist	\$103	\$103	\$106	\$109
Scheduler	\$160	\$160	\$165	\$170
Estimator	\$160	\$160	\$165	\$170

**Notes:**


1. Proposed billing rates include a 3% escalation factor rounded to the nearest whole dollar. Vanir will request a rate increase by submitting a proposal to PDU 30 days before it is to take effect. The maximum increase would be 3% however the increase approved by PDU may be less depending upon market conditions.
2. Rates assume that the County of San Mateo or the Project Development Unit will provide office space and associated equipment and supplies for Vanir personnel (furniture, office supplies, printers, internet connectivity, project management software, etc.). Vanir will provide computers and mobile phones.

5. All other terms and conditions of the agreement dated 8/3/2017, between the County and Contractor shall remain in full force and effect.

In witness of and in agreement with this Agreement's terms, the parties, by their duly authorized representatives, affix their respective signatures:

**For Contractor: VANIR CONSTRUCTION MANAGEMENT, INC.**

<u>James E. Smith</u>	<u>15-Jul-2022   15:32 PDT</u>	<u>James E. Smith</u>
Contractor Signature	Date	Contractor Name (please print)

**For County:**

COUNTY OF SAN MATEO

By:  
President, Board of Supervisors, San Mateo County

Date:

ATTEST:

By:  
Clerk of Said Board

## County of San Mateo ~ 3-Yr Waiver Request to Contract Compliance Committee

This request is for a ☐ New contract ☒ Amendment

FROM: Angie Hyde	DATE: <b>7/6/2022</b>
DEPARTMENT: PDU	Contractor Number: 84700-18-R075267
Contractor Name: Vanir Construction Management	<b>Amendment Number: 03</b>

What was selection process for the original purchase?

☐ 3 written quotes    ☒ RFP    ☐ Non-competitive    ☐ Other (explain below)

Original Contract Start Date <b>3/1/2017</b>	Original Contract End Date <b>2/29/2020</b>	New End Date with Amendment <b>2/28/2025</b>
Amendment Number <b>3</b>	Original Contract Value <b>\$2,016,944</b>	New Contract Value w Amendment <b>\$4,468,944</b>

*Explain the funding source below for full term of the contract. Include this amendment if applicable.*

### Project Budgets

Why is it in the County's best interest to execute this contract for over three years?

<input checked="" type="checkbox"/> Project will not be completed within three years	<input type="checkbox"/> It is a grant, co-operative purchase, or agreement with another public agency
<input type="checkbox"/> Temporary amendment pending new contract	<input type="checkbox"/> Better price with longer contract term
<input type="checkbox"/> Will become part of County infrastructure	<input type="checkbox"/> Other

*Explain in more detail below why a contract longer than 3 years is in the County's best interest. If this is an amendment, explain how it was determined that the price is still fair and reasonable.*

Vanir has been supporting PDU's Construction Management role for the San Mateo Medical Center project since 2017 with excellent results and great end-user feedback.

The COB3, Navigation Center, and SMMC projects are fully underway, which require continued support for field coordination, verification, documentation of changes and directives, etc. The augmented Project Engineer will help each Project Manager to manage the workload efficiently for successful outcomes. Services will be needed through 2025 when projects are completed.

### BELOW THIS LINE FOR CONTRACT COMPLIANCE COMMITTEE ONLY

☒ **APPROVED**
                         
 ☐ **NOT APPROVED**

*Jas Sandhar*

Jas Sandhar, County Procurement Manager

**DATE:** 06-Jul-2022 | 11:09 PDT