RESOLUTION NO. 62-19

Adopted by the Santa Cruz County Regional Transportation Commission

on the date of November 7, 2019

on the motion of Commissioner

duly seconded by Commissioner

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO AMEND THE CONTRACT WITH BOWMAN & WILLIAMS TO EXTEND THE TERM OF CONTRACT TO DECEMBER 31, 2021 FOR CIVIL ENGINEERING SERVICES IN ASSOCIATION TO THE 2017 STORM DAMAGE REPAIRS ON THE SANTA CRUZ BRANCH RAIL LINE – SITE 4: DAMAGED DRAINAGE V-DITCH NEAR ESTATES DRIVE RAILROAD CROSSING, CONTRACT NO. RT44055

WHEREAS, the Santa Cruz County Regional Transportation Commission (RTC) purchased the Santa Cruz Branch Rail Line (SCBRL) in October 2012; and

WHEREAS, in early 2017, the SCBRL was damaged due to historic rain storms that hit Santa Cruz County and other parts of the state; and

WHEREAS, the heavy rain storms of 2017 were declared state and national disasters and the RTC submitted a Request for Public Assistance to the Federal Emergency Management Agency (FEMA), which was approved; and

WHEREAS, in late 2017, FEMA inspected the storm damage incurred along the SCBRL and issued the Damage Description and Dimensions and Scope of Work for seven (7) distinct storm damage repair sites; and

WHEREAS, civil engineering services are required to produce plans, specifications, and cost estimates for the permanent storm damage repairs and to help ensure that FEMA, the California Governor’s Office of Emergency Services (CalOES), and Regulatory Agencies requirements are met; and

WHEREAS, on January 18, 2018, the RTC authorized the Executive Director to execute a contract with Bowman & Williams, Inc. for up to $150,000 for civil engineering services associated with the 2017 Storm Damage Repairs on the SCBRL; and

WHEREAS, in early 2018, staff executed contracts with Bowman & Williams for civil engineering services associated with storm damage Sites 1, 2, 4, 6, and 7 in the amount of $141,100; and

WHEREAS, on April 9, 2018, a contract (numbered RT44055) with Bowman & Williams, Inc. for $19,000 for civil engineering services associated with storm damage Site 4: Damaged Drainage V-Ditch Near Estates Drive railroad crossing (Site 4) was executed with term set to expire on December 31, 2019; and

WHEREAS, on January 17, 2019, the Commission authorized the Executive Director to execute amendments to Bowman and Williams Contract RT44055, provided amendments are consistent with RTC’s approved budget and work plan; and

WHEREAS, on July 18, 2018, the Executive Director executed Amendment 1 to Contract RT44055 to increase compensation to an amount not-to-exceed $26,600; and,
WHEREAS, additional time is needed to cover remaining scope and design support during construction;

THEREFORE, BE IT RESOLVED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION THAT:

1. The Executive Director is authorized to amend contract with Bowman & Williams, Inc. to extend the term of contract RT44055 to December 31, 2021 for civil engineering services associated with 2017 Storm Damage Site 4.

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSTAIN: COMMISSIONERS

ABSENT: COMMISSIONERS

______________________________
Bruce McPherson, Vice Chair

ATTEST:

______________________________
Guy Preston, Secretary

Exhibits:

1 – Amendment 2 to Contract No. RT44055

Distribution: RTC Fiscal, RTC Project Manager

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SECOND AMENDMENT TO AGREEMENT
WITH BOWMAN & WILLIAMS, INC.

Effective __________, the parties hereto agree to amend that certain Agreement No. RT44055 dated April 9, 2018, by and between the SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION and BOWMAN & WILLIAMS, INC., ("CONSULTANT") as follows:

1. **Amend Article 4. (entitled “TERM”) to read as follows:**

   ARTICLE 4 – TERM
   This Agreement shall take effect on April 9, 2018; contingent upon approval by the COMMISSION governing board, and the CONSULTANT shall commence work after notification to proceed by the COMMISSION’s Contract Manager. The Agreement shall end on December 31, 2021, unless earlier terminated or extended by contract amendment. The CONSULTANT is advised that this Agreement is not binding and enforceable until it is fully executed and approved by the COMMISSION’s board.

All other provisions of said Agreement shall remain the same.

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION

By__________________________________  By___________________________________
Guy Preston, Executive Director    Jeffrey R. Naess
Bowman & Williams, Inc.
Approved as to form:                3949 Research Park Court, Suite 100
                                         Soquel, CA 95073-2049
                                         (831) 426-3560

RTC Counsel

Distribution:  RTC Fiscal
               RTC Project Manager
               Consultant