

**City of Carson City
Agenda Report**

Date Submitted: September 23, 2010

Agenda Date Requested: October 6, 2011
Time Requested: Consent

To: Mayor and Supervisors
From: Purchasing and Contracts

Subject Title: For Possible Action: To accept Public Works recommendation to approve Amendment No. 1 to Contract No. 1011-148 with Resource Concepts, Inc. titled "Design Services for Phase III Waterfall Fire Improvements Project" to expand the scope of work and increase the contract amount for a not to exceed amount of \$69,887.92 to be funded from the Grant Fund Account as provided in FY 2010/2011. *(Kim Belt)*

Staff Summary: On November 4, 2010, the Carson City Board of Supervisors approved the above listed contract in the amount of \$56,000.00 to provide Design Services for Phase III Waterfall Fire Improvements Project. This request is to amend the contract in an amount not to exceed \$69,887.92 in order to prepare Change Order No. 1 to the Waterfall Fire Watershed Improvements Project Phase III construction contract.

Type of Action Requested: (check one)

☐ Resolution ☐ Ordinance
☒ Formal Action/Motion ☐ Other (Specify)

Does This Action Require A Business Impact Statement: ☐ Yes ☒ No

Recommended Board Action: I move to accept Public Works recommendation to approve Amendment No. 1 to Contract No. 1011-148 with Resource Concepts, Inc. titled "Design Services for Phase III Waterfall Fire Improvements Project" to expand the scope of work and increase the contract amount for a not to exceed amount of \$69,887.92 to be funded from the Grant Fund Account as provided in FY 2010/2011. *(Kim Belt)*

Explanation for Recommended Board Action: Staff recommends amending contract 1011-148 with Resource Concepts, Inc., to prepare Change Order No. 1 to the Waterfall Fire Watershed Improvements Project Phase III construction contract. The work involved redesigning Phase 3 improvements, removing facilities to have the project fit the grant amount.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 625.530

Fiscal Impact: Not exceed an additional \$13,887.92 for a total of \$69,887.92.

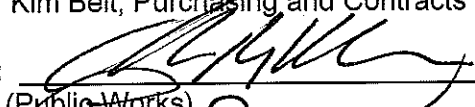
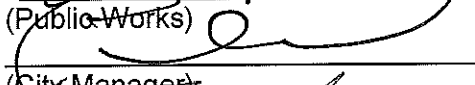
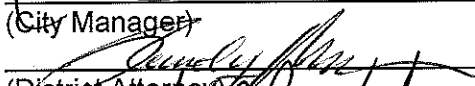
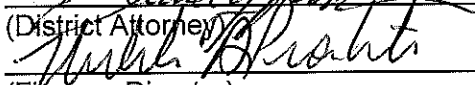
Explanation of Impact: If approved the below referenced account could be decreased by an additional \$13,887.92.

Funding Source: Grant Fund Account NRCS 69-9327-9-04 – 254-5047-452-6588.

Alternatives: Provide other direction pursuant to Board Action.

Supporting Material: Contract Amendment No. 1, Exhibit A and B

Prepared By: Kim Belt, Purchasing and Contracts Manager

Reviewed By:  Date: 9-21-11
(Public Works)  Date: 9/22/11
(City Manager)  Date: 9/27/11
(District Attorney)  Date: 9/27/11
(Finance Director)

Board Action Taken:

Motion: _____ 1) _____ Aye/Nay
2) _____

(Vote Recorded By)

**CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR
AMENDMENT No. 1**

Contract No. 1011-148

Design Services for Phase III Waterfall Fire Improvements Project

THIS AMENDMENT is made and entered into this 6th day of October, 2011, by and between the City and County of Carson City, a political subdivision of the State of Nevada, hereinafter referred to as the "**CITY**", and **Resource Concepts, Inc.**, hereinafter referred to as the "**CONSULTANT**", and is made to amend the existing contract known as **CONTRACT # 1011-148**.

W I T N E S S E T H :

WHEREAS, during the performance of **CONSULTANT'S** duties pursuant to **CONTRACT # 1011-148** the **CITY** requested additional tasks of the **CONSULTANT** that were not within the original *Scope of Work* of the **CONTRACT**; and

WHEREAS, the **CITY** and **CONSULTANT** desire to amend **CONTRACT** to provide **CONSULTANT** authorization to perform the additional work and to compensate **CONSULTANT** for the additional work; and

WHEREAS, said amendment is at the request of both the **CITY** and **CONSULTANT**, and that significant benefit will be derived by the **CITY** for said amendment.

NOW, THEREFORE, in consideration of the aforesaid mutual promises herein, **CITY** and **CONSULTANT**, by and through their respective authorized representatives hereby agree to:

- 1 Amend Paragraph 2 of **CONTRACT #1011-148** to provide in its entirety as follows:

This Contract shall be effective from November 4, 2010, subject to Carson City Board of Supervisors' approval (anticipated to be November 4, 2010) to March 1, 2012, unless sooner terminated by either party as specified in **Section 7 Contract Termination**

- 2 Amend Paragraph 4.1 of **CONTRACT # 1011-148** to provide in its entirety as follows:

CONSULTANT shall provide and perform the following services as set forth in **Exhibit A** to this agreement and **Exhibit B** to Amendment No. 1 to **CONTRACT # 1011-148** attached hereto and incorporated herein by reference for and on behalf of **CITY** herein referenced as "**Services**."

- 3 Amend Paragraph 5.1 of **CONTRACT # 1011-148** to provide in its entirety as follows:

City agrees to pay **CONSULTANT** the **CONTRACT SUM** based upon time and materials for a not to exceed amount of Sixty Nine Thousand, Eight Hundred Eighty Seven Dollars and Ninety Two Cents (\$69,887.92), which is an increase to the contract amount by Thirteen Thousand, Eight Hundred Eighty Seven Dollars and Ninety Two Cents (\$13,887.92).

**CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR
AMENDMENT No. 1**

Contract No. 1011-148

Design Services for Phase III Waterfall Fire Improvements Project

IT IS ALSO AGREED, that all unaffected conditions, requirements, and restrictions of the Original Contract document remain in full force and effect for the duration of the Contract term.

ACKNOWLEDGMENT AND EXECUTION:

In witness whereof, the parties hereto have caused this Amendment to be signed and intend to be legally bound thereby.

CARSON CITY

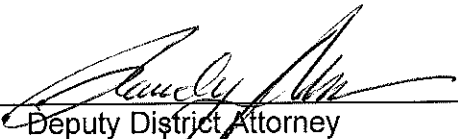
Finance Director
Attn: Kim Belt,
Purchasing and Contracts Manager
201 North Carson Street Suite 3
Carson City, Nevada 89701
Telephone: 775-283-7137
Fax: 775-887-2107
KBelt@carson.org

CITY'S LEGAL COUNSEL

Neil A. Rombardo, District Attorney

I have reviewed this Contract and approve
as to its legal form.

By: 
Kim Belt

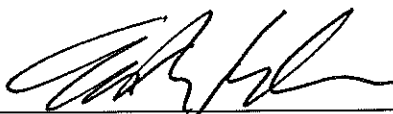
By: 
Deputy District Attorney

DATED 9/27/11

DATED 9/27/11

CITY'S ORIGINATING DEPARTMENT

BY: Andrew Burnham, Director
Carson City Public Works Department
3505 Butti Way
Carson City, NV 89701
Telephone: 775-887-2355 Ext. 7367
Fax: 775-887-2164
ABurnham@carson.org

By: 

DATED 9-27-11

CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR

AMENDMENT No. 1

Contract No. 1011-148

Design Services for Phase III Waterfall Fire Improvements Project

Bruce R. Scott, P.E. deposes and says: That he is the **CONSULTANT** or authorized agent of the **CONSULTANT**; that he has read the foregoing Amendment; and that he understands the terms, conditions, and requirements thereof.

CONSULTANT

BY: Bruce R. Scott, P.E.

TITLE: Principal

FIRM: Resource Concepts, Incorporated

CARSON CITY BUSINESS LICENSE #: 11-473

Address: 340 N. Minnesota Street

City: Carson City **State:** Nevada **Zip Code:** 89703

Telephone: (775) 883-1600/ **Fax #:** (775) 883-1656

E-mail Address: Bruce@rci-nv.com

(Signature of **CONSULTANT**)

DATED _____.

STATE OF _____)
_____) ss
County of _____)

Signed and sworn (or affirmed) before me on this _____ day of October, 2011, by Bruce R. Scott.

(Signature of Notary)

(Notary Stamp)

**CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR
AMENDMENT No. 1**

Contract No. 1011-148

Design Services for Phase III Waterfall Fire Improvements Project

CONTRACT ACCEPTANCE AND EXECUTION:

The Board of Supervisors for Carson City, Nevada at their publicly noticed meeting of October 6, 2011, approved the acceptance of **Amendment No. 1 to CONTRACT No. 1011-148**. Further, the Board of Supervisors authorizes the Mayor of Carson City, Nevada to set his hand to this document and record his signature for the execution of this contract in accordance with the action taken.

CARSON CITY, NEVADA

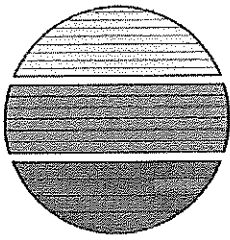
ROBERT L. CROWELL, MAYOR

DATED this 6th day of October, 2011.

ATTEST:

ALAN GLOVER, CLERK-RECORDER

DATED this 6th day of October, 2011.



ENGINEERING • SURVEYING • RESOURCES & ENVIRONMENTAL SERVICES

RESOURCE CONCEPTS, INC.

September 13, 2011

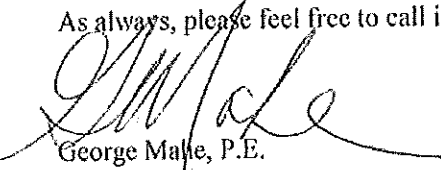
Robert D. Fellows, P.E.
Chief Stormwater Engineer
Carson City Public Works
3505 Butti Way
Carson City, Nevada 89701

*Re: Request for Contract Amendment for Change Order No. 1, Waterfall Fire Watershed
Improvements Project Phase III, Carson City Contract #1011-148*

Dear Mr. Fellows:

This letter is to request an amendment to our contract to cover the cost to prepare Change Order No. 1. The work entailed ongoing coordination with your office and V&C Construction and preparation of two detailed iterations of revised plans detailing the modified earthwork, earthwork calculations, and related changes. The total cost to prepare Change Order No. 1 is \$13,887.92. Our original Contract was for \$56,000.00 and with this Amendment added the total will be \$69,887.92. Our contract expires on November 5, 2011, and with this letter we also request a time extension through the end of the year.

As always, please feel free to call if you wish to discuss or if additional information is required.


George Mahe, P.E.
Senior Engineer

GM:jm

2011-09-13 ltr R Fellows Req Contract Amend CC 06-225.12 gm-jm 1.9-19.doc

CARSON CITY OFFICE
340 N. Minnesota Street • Carson City, NV 89703
office: 775-883-1600 • fax: 775-883-1656

www.rci-nv.com

ZEPHYR COVE OFFICE
P.O. Box 11796 • Zephyr Cove, NV 89448
office: 775-588-7500 • fax: 775-589-6333