

FIRST AMENDMENT TO THE
AGREEMENT FOR SERVICES OF INDEPENDENT CONTRACTOR
CLARK AVENUE/US 101 INTERCHANGE IMPROVEMENTS PROJECT
PROJECT NUMBER 862331

THIS AMENDMENT (“First Amendment”) is made by and between the County of Santa Barbara, a political subdivision of the State of California (“COUNTY”) and Stantec, 111 East Victoria Street, Santa Barbara, California 93101 (“CONSULTANT”) (hereinafter collectively, the “Parties”).

WHEREAS, the Parties entered into an Agreement for Services of Independent Contractor signed into effect on March 7, 2017 (“Agreement”) in connection with the Clark Avenue/US 101 Interchange Improvements Project.

WHEREAS, the Agreement amount for said services is in the “not to exceed” amount of \$175,832 with a contingency of \$17,583 for a total contract amount of \$193,415. Expenditure of up to the contingency amount may be authorized by the Public Works Director or designee; and

WHEREAS, during the execution of the Plans, Specifications, & Estimate (PS&E) phase additional effort was required to justify design elements that deviate from the Highway Design Manual to complete the improvements on the existing overcrossing without having to replace the entire structure. This additional effort is required by Caltrans to properly document and approve design exceptions that are justified based on cost/benefit and the public interest; and

WHEREAS, additional effort is also required to convert the PS&E package to the 2018 Standards as mandated by Caltrans.

WHEREAS, the changes will increase the amount of the Agreement by \$54,000 to complete the PS&E package using 2018 Standards and complete Caltrans’ rigorous review process.

WHEREAS, the Parties hereto desire to amend the Agreement to add additional services and reflect changes in the compensation.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, COUNTY and CONSULTANT agree to amend the Agreement as follows:

1. CONTRACTOR’s supplemental proposal titled “Proposal for Final Plans, Specifications, and Estimates” dated September 10, 2018, shall be attached to and incorporated by reference into the Agreement.
2. The second paragraph in Exhibit “A” (Statement Of Work) attached to the Agreement is hereby deleted in its entirety and replaced with the following:

CONTRACTOR shall perform the work stated in CONTRACTOR’s proposal dated January 24, 2017, (“Proposal No. 1”), which is attached hereto and incorporated by reference into this Agreement, and the work stated in CONTRACTOR’s supplemental

proposal titled "Proposal for Final Plans, Specifications, and Estimates" dated September 10, 2018 ("Proposal No. 2"), which is attached hereto and incorporated by reference into this Agreement.

3. Paragraph "A" of Exhibit B of the Agreement is hereby deleted in its entirety and replaced as follows:
 - A. For CONTRACTOR services to be rendered under this Agreement, CONTRACTOR shall be paid up to a base contract amount, including cost reimbursements, not to exceed \$175,832, and if authorized by COUNTY in accordance with Section B herein up to an additional \$17,583, for a total contract amount up to and not to exceed \$193,415 in CONTRACTOR's proposal dated January 24, 2017 for US 101/Clark Avenue PS&E ("Proposal No. 1") which is attached hereto and incorporated by reference into this Agreement, and the work stated in CONTRACTOR's supplemental proposal titled "Proposal for Final Plans, Specifications, and Estimates" dated September 10, 2018 ("Proposal No. 2"), up to a base contract amount, including cost reimbursements, not to exceed \$54,000, and if authorized by COUNTY in accordance with Section B herein up to an additional \$5,400, for a total contract amount up to and not to exceed \$59,400, which is attached hereto and incorporated by reference into this Agreement. The total Agreement amount is not to exceed \$229,832 not including additional amounts that may or may not be authorized by in a total additional amount not to exceed \$22,983 by COUNTY.

4. Paragraph "B" of Exhibit "B" (Payment Arrangements) attached to the Agreement is hereby deleted in its entirety and replaced with the following:
 - B. Extra Work required to complete the project may be authorized only if CONTRACTOR receives written approval by COUNTY's designated representative as identified in Paragraph 1 of the Agreement. The total amount of this contingency fund for Proposal No. 1 (dated January 24, 2017), is up to but may not exceed \$17,583. The total amount of this contingency fund for Proposal No. 2 (dated September 10, 2018), is up to but may not exceed \$5,400. It is understood and agreed that there is no guarantee, either express or implied, that these dollar amounts will be authorized under this Agreement through Task Orders in the COUNTY's sole discretion. Extra work for the total contract is not to exceed the amount of \$22,983.

5. The Parties agree that all terms and conditions of the Agreement, as amended by this First Amendment, are in full force and effect and shall be applicable to the completion of the supplemental scope of work in Proposal No. 2 by CONSULTANT and are incorporated into the Agreement. Except as expressly set forth in this First Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHERE OF, the Parties have executed this First Amendment to the Agreement for Services of Independent Contractor on the date executed by COUNTY.

RECOMMENDED FOR APPROVAL:
Board of Supervisors

CONTRACTOR:
Stantec

By: _____
Das Williams, Chair

By: _____
Authorized Representative

Name: _____

Title: _____

APPROVED AS TO FORM:
Michael C. Ghizzoni
County Counsel

APPROVED AS TO ACCOUNTING FORM:
Theodore A. Fallati, CPA
Auditor-Controller

By: _____
Deputy County Counsel

By: _____
Deputy

APPROVED AS TO FORM:
Ray Aromatorio
Risk Manager

By: _____



Stantec Consulting Ltd.
111 E Victoria St.
Santa Barbara, CA 93101

September 10, 2018
File: 2064148200

Attention: Brittany Heaton
County of Santa Barbara

Reference: US 101/Clark Interchange Improvements – Proposal for Final Plans, Specifications and Estimates

Stantec requests additional funding authorization for the subject project due to the following changed scope conditions:

Final Plans Specifications and Estimates

The original contract dated July 13, 2017 was written for the completion of Plans, Specifications and Estimates for the US 101/Clark Interchange Improvements. At that time, it was assumed that the preliminary project documents, including the Project Report and Design Exception Fact Sheet were substantially complete and would be approved with little additional effort. This process required more extensive revisions than expected. The Fact Sheet was approved in February of 2018 and the Project Report was approved in April of 2018. Additionally, a supplemental Fact Sheet (Design Decision Document) was required in July 2018. Approximately \$56,000 of the final design budget was spent on these efforts.

Additional funds are needed to complete the PS&E package as described in the original contract. At this time, the plans have been reviewed by the County and those comments have been incorporated and the Plans, Specifications and Estimates have been submitted to Caltrans for first review. This required an additional \$29,981 of effort by Stantec above the original contract amount and the County has authorized the use of \$10,264 in contingency on the original contract to be billed for this effort.

This proposal assumes up to three submittals to Caltrans and updates to the Plans, Estimates and Specifications per their comments. We estimate the work remaining on this project will require approximately 6 weeks bringing the total estimated cost for completion of PS&E to \$58,000.

As was discussed between Derek Rapp and Brittany Heaton, there have been some inefficiencies within the project that have increased costs beyond expectations and Stantec agrees to reduce the proposal estimate by \$10,000. At this time Stantec is requesting a total of \$48,000.



September 10, 2018
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Reference: US 101/Clark Interchange Improvements

Optional - 2018 Caltrans Standards

Caltrans 2018 Standards will go into effect on October 22, 2018. Paul Martinez, the Caltrans Project Manager, has stated that this project will be required to use these new Standards. As these are not yet available to the public, the impacts to the project budget are not easily quantifiable. The County is requesting for this project to use 2015 Standards. If Caltrans denies this request and requires 2018 Standards, we have assumed 40 hours of additional work associated with this task. We will track this work separately and advise you as soon as possible if it appears that these hours will be exceeded.

PROPOSED FEE AND METHOD OF PAYMENT

Our proposed services will be performed on a time and materials, not-to-exceed basis, and shall be billed monthly. Based on our understanding of your requirements and our experience with similar projects, the estimated fee required for our services is as follows:

Plans, Specifications and Estimates	\$48,000.00
Optional - 2018 Caltrans Standards	\$6,000.00

Thank you for the opportunity to work on this important project for the County.

Regards,

Stantec Consulting Services Inc.

Handwritten signature of Derek Rapp in blue ink.

Derek Rapp, Principal
Phone: (805) 770-0205
Derek.rapp@stantec.com

Handwritten signature of Heather Gardner in black ink.

Heather Gardner, Transportation Engineer
Phone: (805) 308-9172
Heather.Gardner@stantec.com