

AMENDMENT NO. 3
OF
NAPA COUNTY AGREEMENT NO. 200304B
PROFESSIONAL SERVICES AGREEMENT

THIS AMENDMENT NO. 3 of NAPA COUNTY AGREEMENT NO. 200304B is made and entered into as of this May 4th, 2021, by and between NAPA COUNTY, a political subdivision of the State of California, hereinafter referred to as “COUNTY”, and ADKO ENGINEERING, INC., a California corporation, whose mailing address is 2267 Lava Ridge Court, Suite 100, Roseville, CA 95661, hereinafter referred to as “CONTRACTOR”;

RECITALS

WHEREAS, COUNTY entered into Napa County Agreement No. 200304B with CONTRACTOR on April 14th, 2020 (the “Agreement”) to obtain specialized services, as authorized by Government Code section 31000, in order to provide engineering design and support services for the Mt. Veeder Road Bridge MPM 2.13 repair and the Buhman Road Bridge repair hereinafter referred to as “Projects”; and

WHEREAS, the parties now desire to amend the Agreement to expand the scope of work and increase the compensation for the Agreement to provide engineering design and support services, for the Projects;

TERMS

NOW, THEREFORE, COUNTY and CONTRACTOR hereby amend the Agreement as follows:

1. Exhibit “A3,” attached hereto and incorporated herein by this reference, is incorporated into the Agreement.
2. Paragraph 2 of the Agreement is amended to read in full as follows:

Scope of Services. CONTRACTOR shall provide COUNTY those services set forth in Exhibit “A” attached to this Agreement as originally approved, in addition to the RFP and CONTRACTOR’s proposal, incorporated by reference herein and, on and after May 4th, 2021, as well as those additional services set forth, Exhibit “A1” (AMENDMENT 1) as approved on September 1st 2020, and Exhibit “A2” (AMENDMENT 2) as approved on November 11th, 2020, and in Exhibit “A3” (AMENDMENT 3), attached to Amendment No. 3 of the Agreement, said Exhibits being incorporated by this reference herein.

3. Subparagraph (c) of Paragraph 3 of the Agreement is amended to read in full as follows:

(c) Maximum Amount. Notwithstanding subparagraphs (a) and (b) or any other provision of this Agreement, the maximum payments under this Agreement shall be ONE HUNDRED ONE THOUSAND THREE HUNDRED EIGHTY-EIGHT DOLLARS AND SIXTY-TWO CENTS (\$101,388.62) for Mt. Veeder Road Bridge MPM 2.13 and a total of TWO HUNDRED SIXTY-THREE THOUSAND NINE HUNDRED SIXTY-FIVE DOLLARS AND FORTY-ONE CENTS

(\$263,965.41) for Buhman Road Bridge for an accumulated total of THREE HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED FIFTY-FOUR DOLLARS AND NINETY-NINE CENTS (\$365,354.03) provided, however, that such amounts shall not be construed as guaranteed sums, and compensation shall be based upon services actually rendered and reimbursable expenses actually incurred.

4. Except as provided above, all other provisions of the Agreement shall remain in full force and effect as previously approved.

[Remainder of page intentionally left blank; signature page follows.]

IN WITNESS WHEREOF, COUNTY and CONTRACTOR have executed this Amendment No. 3 of Napa County Agreement No. 200304B as of the date first above written.

ADKO ENGINEERING INC.

By _____
MAJDI KANAAN, President

By _____
IMAN KANAAN, Chief Financial Officer

“CONTRACTOR”

NAPA COUNTY, a political subdivision of
the State of California

By _____
ALFREDO PEDROZA, Chair
Board of Supervisors

“COUNTY”

APPROVED AS TO FORM Office of County Counsel By: <u>John L. Myers (e-sign)</u> Deputy County Counsel Date: <u>April 12, 2021</u>	APPROVED BY THE NAPA COUNTY BOARD OF SUPERVISORS Date: _____ Processed By: _____ Deputy Clerk of the Board	ATTEST: JOSE LUIS VALDEZ Clerk of the Board of Supervisors By: _____
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EXHIBIT “A3”

SCOPE OF WORK

ADKO Engineering will provide COUNTY with the following additional services for the following projects:

- Buhman Road Bridge

Amendment No. 3 Increase the level of Effort with the following tasks:

TASK B2: PERFORM SURVES AND PREPARE BASE PLANS

Task B2.1: Field Surveying and Mapping

Complex right of way and underground utilities investigation has increased the level of effort needed as compared to the original agreement.

TASK B5: ENVIRONMENTAL PERMITTING

Due to a change in permitting requirements and associated additional workload in meeting those changed requirements by the California Department of Fish and Wildlife and State Water Resource Control Board this amendment is increasing the level of effort to the environmental permitting task.

TASK B6: DESIGN

Because of further investigation into the existing retaining wall, additional design work is required outside of the original agreement. This amendment is to increase the level of effort in design to address this and includes but is not limited to:

- Designing a replacement retaining wall.
- Revising road alignment at the Congress Valley Road and Buhman Avenue intersection.
- Revising other project elements based on retaining wall and revised road alignment.
- Additional round of submittal and review between COUNTY and ADKO.