

**MONTEREY PENINSULA REGIONAL PARK DISTRICT
BOARD OF DIRECTORS MEETING**

DATE: January 10, 2018
TO: Board of Directors
FROM: Shuran Parker, Administrative Services Manager
REVIEWED BY: Rafael Payan, General Manager
SUBJECT: Approval of Ranch Fence Contract Amendment

RECOMMENDED ACTION

It is recommended that the Board approve the recommended amendments (**ATTACHMENT 1**) to the Ranch Fence contract for Palo Corona Regional Park.

FISCAL IMPACT

There are no fiscal impacts associated with taking this action.

FUNDING SOURCE:

Soberanes Fire Repairs, Acct. #6265

FUNDING BALANCE:

\$794,000 available as of 12/31/17. Additional funds will be budgeted in the next fiscal year to complete this project.

DISCUSSION

In June 2017, the Board awarded the contract for cattle fencing repairs at Palo Corona to Ranch Fence. After the award and due to a heavy workload, the contractor requested a delayed start date (December 18, 2017). This draft amendment memorializes the commencement date and corresponding termination date (October 15, 2018) and clarifies some unclear language and typos in the agreement.

Staff is recommending that the Board approve the draft amendment which does not have a fiscal impact.

ATTACHMENT:

1. Ranch Fence Contract Amendment



Monterey Peninsula Regional Park District
60 Garden Court, Suite 325
Monterey, CA 93940-5341

Contract for Services – Amendment

WHEREAS a public works project, between Monterey Peninsula Regional Park (“DISTRICT”) and Ranch Fence, Inc., (“CONTRACTOR”) was awarded on June 11, 2017, to re-construct cattle fencing at Palo Corona Regional Park burned by the Soberanes Fire (“PROJECT”); and

WHEREAS CONTRACTOR has requested that the commencement of the PROJECT be delayed to accommodate CONTRACTOR’s other projects; and

WHEREAS DISTRICT has been agreeable to a delayed start of the PROJECT as it does not prejudice DISTRICT and is consistent with the DISTRICT’s needs with respect to the PROJECT; and

WHEREAS CONTRACTOR has requested an extended duration of the time to complete the PROJECT after commencement of the work; and

WHEREAS DISTRICT is agreeable to an extended duration of the time to complete the PROJECT after commencement of the work as it will not prejudice the DISTRICT and is consistent with the DISTRICT’s needs with respect to the PROJECT; and

WHEREAS said AGREEMENT included a typographic error under Article 1, describing the PROJECT as a “parking” project; and

THEREFORE, DISTRICT and CONTRACTOR agree to amend the terms and conditions of the agreement for the PROJECT as awarded on June 11, 2017, as follows:

1. December 18, 2017, shall be the commencement date for the PROJECT and completion of all work for the PROJECT shall be completed no later than October 15, 2018; and
2. CONTRACTOR assumes all risk for any changes in costs of the price of materials, services, and labor required for completion of the PROJECT arising since CONTRACTOR’s bid was submitted to the DISTRICT that may occur or have occurred due to the delayed commencement of work and extended duration of work for the PROJECT; and
3. Any references to the project as related to “parking” are to be disregarded; and
4. The materials specification change order request of 6’ t-posts for 7’ t-posts is approved pending the submission of a vendor price differential quote for 9240 (14-miles) of 7’ t-posts and the same number of 6’ t-posts, the difference being deducted from the original total bid price submitted.

DISTRICT and CONTRACTOR hereto have caused this Amendment to be executed by signature on the day and year below.

MONTEREY PENINSULA REGIONAL
PARK DISTRICT

RANCH FENCE, INC.

Signature Date

Signature Date

Printed Name

Printed Name

Title

Title