



December 03, 2020

TO: LOCSD Board of Directors
FROM: Ron Munds, General Manager
SUBJECT: **Agenda Item 6E – 12/03/2020 Board Meeting**
SWCA Professional Agreement Amendment 1

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DESCRIPTION

On May 11, 2020, the District executed an agreement with SWCA to perform the environmental work associated with five potential sites for the Program C well and follow up work once a site was selected. The agreement has a termination date of December 31, 2020. Approval of the staff recommendation will extend the termination date to March 31, 2021.

STAFF RECOMMENDATION

This item will be approved along with the Consent Calendar unless it is pulled by a Director for separate consideration. If so, staff recommends that the Board adopt the following motion:

Motion: I move that the Board approve Amendment 1 to the Professional Services Agreement with SWCA to extend the agreement termination date to March 31, 2021 and authorize the General Manager execute Amendment 1.

DISCUSSION

On May 11, 2020, the District executed an agreement with SWCA to perform the environmental work associated with five potential sites for the Program C well and follow up work once a site was selected. Because of unforeseen delays at the beginning of the project, the project schedule was adjusted to reflect the coordination time needed to access the various sites and resolve other scheduling conflicts. The Termination clause in Section 4.04 of the agreement has an end date of December 31, 2020. With the site selection for the Program C well completed at the November 5th Board meeting, SWCA will need additional time to complete the remaining environmental work. Staff is recommending the termination date of the agreement be extended to March 31, 2021 to account for the time needed to complete the remaining tasks.

Attachment

SWCA Professional Services Agreement Amendment 1

LOS OSOS COMMUNITY SERVICES DISTRICT
AMENDMENT TO SWCA PROFESSIONAL SERVICES AGREEMENT

This AMENDMENT ONE (1) TO A PROFESSIONAL SERVICES AGREEMENT (“Amendment”) is made by and between the Los Osos Community Services District (“District”) and SWCA (“Consultant”) with reference to the following recitals:

RECITALS

A. On May 11, 2020, the District executed a Professional Services Agreement (“Agreement”) with SWCA.

B. Following Board action at the December 3, 2020 meeting regarding the Agreement Amendment, the Board determined to extend said Agreement.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

1. Unless as specifically identified herein, all other provisions of the Agreement shall remain in full force and effect and unmodified by this Amendment.
2. Section 4.0 of the Agreement shall be amended as follows:

4.04. Termination. This agreement shall terminate on March 31, 2021, unless earlier extended as set forth in this Section. The LOCSD, with the agreement of Consultant, is authorized to extend the term of this agreement beyond the termination date, as needed, under the same terms and conditions as set forth in this agreement. Any such extension shall be in writing and be an amendment to this agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment on the below identified dates.

SWCA

DISTRICT

Bill Henry, Director

Ron Munds, General Manager

DATE: _____

DATE: _____

Approved as to form:

Jeffrey A. Minnery, Esq.
District Legal Counsel