

SBCAG STAFF REPORT

SUBJECT: Energetics, Inc. Agreement – Amendment No. 1

MEETING DATE: September 19, 2019

AGENDA ITEM: 4G

STAFF CONTACT: Andrew Orfila

RECOMMENDATION:

Approve, ratify, and authorize the Chair to execute Amendment No. 1 (Attachment A) with Energetics, Inc. to complete a regional multi-modal transportation network resiliency assessment to extend the term for one year revising the period of performance to September 24, 2018 through August 30, 2020 without increasing the total not to exceed amount of \$85,000.

DISCUSSION:

In September 2018, the SBCAG Board approved an agreement with Energetics, Inc. to perform a multi-modal transportation network resiliency assessment. The assessment will identify areas of the region where the multi-modal transportation network is most vulnerable to potential effects of climate change, specifically from sea level rise and increased occurrences of large fires. The work effort also includes a recommendation of adaptation strategies for implementation and identification of a regional Climate Smart Transportation Network that utilizes nature-based solutions in locations most vulnerable to climate change impacts. The project is funded through a grant from the Senate Bill 1 2018-19 Adaptation Planning Program. Staff is recommending that the SBCAG Board approve an amendment to authorize the Chair to extend the term for an additional year to allow Energetics, Inc. to complete the project.

The recommended action is not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378 of the CEQA Guidelines.

ATTACHMENT:

- A. Energetics, Inc. Amendment No. 1

ATTACHMENT A

AMENDMENT NO. 1

to

AGREEMENT

between

SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS

and

ENERGETICS

THIS AGREEMENT (hereafter AGREEMENT) is made by and between the SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS (hereafter "SBCAG") and Energetics, having its principal place of business at 4876 Santa Monica Avenue, #276, San Diego, CA 92107 and collectively referred to as the "PARTIES" and fully executed on September 24, 2018, is hereby amended ("AMENDMENT NO. 1") as follows:

1. Section 1, "Designated Representatives" of the Agreement is deleted and replaced in its entirety as follows:

Michael Becker shall be the representative assigned by SBCAG to administer the AGREEMENT on behalf of SBCAG. Chris Gillespie shall be the authorized representative of CONTRACTOR. Changes in designated representatives shall be made only after advance written notice to the other party.

	CONTRACTOR	SBCAG
Representative:	Chris Gillespie	Michael Becker
Telephone:	973-489-7832	805-961-8912
Email:	cgillespie@energetics.com	mbecker@sbcag.org

2. Section 2, "Notices" of the AGREEMENT is deleted and replaced in its entirety as follows:

Any notice or consent required or permitted to be given under this Agreement shall be given to the respective parties in writing, by first class mail with postage prepaid, electronic mail with delivery receipt or otherwise delivered as follows:

	CONTRACTOR	SBCAG
Mailing Address	<i>Energetics – a subsidiary of VSE Corporation</i> 7075 Samuel Morse Drive, Suite 100 Columbia, MD Attn.: Chris Gillespie	Santa Barbara County Association of Govts 260 N. San Antonio Rd., Ste. B Santa Barbara, CA 93110-1315 Attn.: Michael Becker
Telephone	973-489-7832	805-961-8912
Contract Officer	Jenna Harrison	Michael Becker
Title	Contracts Manager	Director of Planning

or at such or to such other address or to such other person that the parties may from time to time designate in accordance with this Notice section. Notices and consents under this section, which are sent by mail, shall be deemed to be received five (5) days following their deposit in the U.S. mail. This Notices section shall not be construed as meaning that either party agrees to service of process except as required by applicable law.

3. Section 4 "Term" of the AGREEMENT is to be amended as follows:

CONTRACTOR shall commence performance on September 24, 2018 and end performance upon completion, but no later than ~~August 30, 2019~~ August 30, 2020 unless otherwise directed by SBCAG or unless earlier terminated.

4. **Counterparts.** This Amendment No. 1 may be executed in several counterparts, all of which taken together shall constitute a single agreement between the parties.

5. **Ratifications.** The terms and provisions set forth in this Amendment No. 1 shall modify and supersede all inconsistent terms and provisions set forth in the Agreement. The terms and provisions of the Agreement, except as expressly modified and superseded by this Amendment No. 1, are ratified and confirmed and shall continue in full force and effect, and shall continue to be legal, valid, binding, and enforceable obligations of the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement to be effective on the date when fully executed by both parties.

CONTRACTOR

SANTA BARBARA COUNTY
ASSOCIATION OF GOVERNMENTS

Jenna Harrison
Contracts Manager

Alice Patino
Chair, Board of Directors

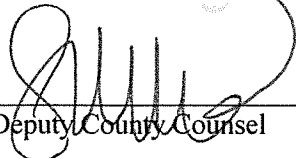
Date: _____

Date: _____

ATTEST

By: Marjie Kim
Executive Director

APPROVED AS TO FORM
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By: 

Deputy County Counsel