



APPROVAL REQUEST FOR A BEYOND 5 YEAR CONTRACT TERM

Date of Submission: **06/03/19**

For Professional Services submit document via SAP Requisition. Refer to the Contact and Commodity Assignment List for buyer code guidance.

For Goods & Related Services refer to Contact and Commodity Assignment List for buyer code guidance.

SECTION I

Service Agreement Number:	Professional Services Agreement ("PSA")		
Contractor/Consultant:	GHD, Inc.		
Current Contract Start Date:	9/23/2014	Current Contract End Date:	9/22/2019
Total Current Value of the Service Agreement:	\$ 1,000,000.00	Budget Unit #:	0710
Description of Service:	Civil Engineering and Architect Services		
User Agency/Department(s):	Parks & Recreation		
Requesting Agency/Department Contract Manager/Coordinator	Name:	Metka Valh	
	Phone:	355-2216	
	Email:	metka.valh@prk.sccgov.org	

SECTION II

Recommended # of Months Extension:	24
Recommended End Date:	9/22/2021
Recommended Additional Amount:	0
Recommended Total Value of the Service Agreement:	1,000,000

SECTION III

Mark appropriate box for Contract's Signature Authority

<input checked="" type="radio"/>	Board of Supervisors
<input type="radio"/>	Delegated to Department Head or designee
<input type="radio"/>	Director of Procurement



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SECTION IV

Pursuant to Board Policy 5.4.5.4, EXCEPTIONS to the maximum 5-year term limit for Professional Services are listed below. Select the appropriate exception(s).

<input type="radio"/>	(1) When the funding source for a contract provides that the contract term must exceed five years. Such funding sources may include the State or Federal government or an outside funding source (private or foundation grant).
<input type="radio"/>	(2) When the County "piggybacks" on another jurisdiction's contract that is more than five years or that is subsequently extended for more than the initial five-year term.
<input type="radio"/>	(3) When a specific law, code or regulation requires that a particular type of contract include certain contract terms(s) that exceed 5 years. Please provide a specific citation below.
<input type="radio"/>	(4) Contracts for goods, which includes equipment, that have a lifespan that exceeds five years and the benefits to the County of exceeding a five-year term outweigh the benefits of creating and executing a new contract after five years
<input type="radio"/>	(5) Contracts for technology software or hardware that have a lifespan exceeding five years and the benefits to the County of exceeding a five-year term outweigh the benefits of creating and executing a new contract after five years
<input type="radio"/>	(6) Proprietary maintenance contracts.
<input checked="" type="radio"/>	(7) Contracts for project-specific professional services where the length of the project is expected to exceed five years.
<input type="radio"/>	(8) Revenue contracts.
<input type="radio"/>	(9) Contracts with other governmental entities.
<input type="radio"/>	(10) When an Agency/Department is otherwise able to justify that it is in the County's best interest to exceed the maximum 5-year term requirement. For example, an Agency/Department is able to demonstrate that the financial and/or programmatic impact on the County would be significant if the contract term does not exceed the maximum 5-year term requirement [Specific rationale must be provided in Section V, below].

SECTION IV continued

Provide BRIEF but CONCISE details to validate the EXCEPTION(S) selected above

The Department needs to amend the term on the Professional Services Agreement (PSA) with GHD Inc., because work on two Project Agreements will not be completed at the sunset of the PSA. The Department will take this amendment to the Board of Supervisors on August 13, 2019.

I) The Department issued Project Agreement (PA) PA12, Boat Ramp Entry Kiosk Replacement at Calero Park. Task 5 (100% Construction Documents) can not be completed and Tasks 6 (Bid Support) and Task 7 (Construction Administrative Support) cannot commence until Santa Clara Valley Water review of documents is complete. Following approval of the documents, the Department plans to bid the project in late 2019.

II) The Department issued PA13, Coyote Creek Trail and Access Road Repair Projects. Consultant is currently preparing Feasibility Studies for three sites along Coyote Creek. Tasks 2 and 3 will not be completed by the time of PSA expiration.



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SECTION V

If relying upon Exception (10), the OCCM or the Director of Procurement, as applicable, has discretion to approve a contract term for more than five years. Provide a narrative explanation below:

A. BACKGROUND (Describe the good or service procured)

I) Under PA12, GHD, Inc. has prepared 100% construction documents for the Boat Ramp Entry Kiosk at Calero County park which are currently under review by Parks and the SCVWD community service division. The project is anticipated to bid in late 2019. Consultant is to provide bidding services, construction administration services, and preparation of Record Documents following Board acceptance of the project. The project is anticipated to be completed by 9/22/21.

II) Under PA13, GHD, Inc. is preparing Feasibility Studies to assess damage and provide repair options for three Park sites located along Coyote Creek and damaged during the 2017 historic flood. Sections of the Coyote Creek Trail and two culverts were washed away. The Department is under regulatory requirements to replace the damaged culverts with bridges. All tasks under PA13 are expected to be completed by 9/22/21.

B. CONTRACT HISTORY, if applicable. (How was the contract awarded? What were the events that occurred prior to the end of the contract term?)

The PSA with GHD, Inc. was awarded through an open competitive RFP process (RFP-PRK-FY14-0449) by the Board of Supervisors (Board) on 9/23/2014, leg. file number 73171.

The Department administratively amended PSA under the delegated authority with the first Amendment on 7/21/2016 to add Wage Theft Prevention and Living Wage requirements to the PSA to comply with the Board Policy Manual, Section 5.5.5.4.

The Department issued thirteen PAs against this PSA.



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C. REASONS FOR CONTRACT TERM EXTENSION

Two PAs: PA12 for Boat Ramp Entry Kiosk Replacement at Calero Park, and PA13 for Coyote Creek Trail and Access Road Repair Projects will not be completed by the PSA expiration date. Expected completion date of these project is 9/22/2021.

D. RECOMMENDATION PLAN TO CURE ISSUE(S) (If applicable)

The Department is in a process to issue RFP for the Architectural and Engineering Services for Various Projects for Santa Clara County Parks and Recreation Department. The RFP will be issued in July/August time frame, MAL # is 841.

SECTION VI

Requesting Agency/Department Contracts Manager:

Print Name:

METKA VALH

Signature:

Phone: 355-2216

Email:

metka.valh@prk.sccgov.org

Requesting Agency/Department Director:

Print Name:

Don Rocha

Signature:



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SECTION VII

Decision and Required Steps Following Decision (to be completed by OCCM or Procurement)

<input checked="" type="radio"/>	Approved	<input checked="" type="radio"/> Attach to Legislative File
		<input type="radio"/> Attach to Delegation of Authority Coversheet
		<input type="radio"/> Attach to Service Agreement Checklist
<input type="radio"/>	Approved with Conditions	Comments:
<input type="radio"/>	Returned for Possible Reconsideration	Comments:
<input type="radio"/>	Denied	Comments:

SECTION VIII

Office of Countywide Contracting Management/Procurement Department Signature

DocuSigned by:  62EEB3861ADB4FB...	Date 7/10/2019
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