



FIRST ADDENDUM TO AGREEMENT
BY AND BETWEEN THE
COUNTY OF MARIN AND JONES LANG LASALLE AMERICAS, INC.

THIS FIRST ADDENDUM is made and entered into on June 15, 2010, by and between the COUNTY OF MARIN, a political subdivision of the State of California (hereinafter referred to as "County") and JONES LANG LASALLE AMERICAS, INC. (hereinafter referred to as "Contractor")

RECITALS

WHEREAS, the County and the Contractor entered into an agreement for **Real Estate Master Consultant services to implement a two-stage process to procure design/development teams for the Emergency Operations Facility project dated January 13, 2009 ("Agreement")**; and

WHEREAS, **Section 5, Exhibit A, and Exhibit B** to the agreement obligated Contractor to; **complete work by May 31, 2010 but County changed the approach to the environmental review after counsel input, thus changing the implementation plan for the procurement process**

and

WHEREAS, the parties desire to amend the agreement to **extend contract time through February 28, 2011,**

AND

To modify the Exhibit "A" Scope of Services and Exhibit "B" Fees and Payment Schedule

NOW, THEREFORE, the parties agree to modify as set forth below.

AGREEMENT

1. Except as otherwise provided herein all terms and conditions of the agreement shall remain in full force and effect.

2. x Updated Certificate of Insurance(s) attached hereto.

3. is/are hereby amended to read as follows:

Section 5 is hereby amended to read that the contract shall terminate on February 28, 2011.

Exhibit "A" Scope of Services is modified as follows:

1. Section II. B. shall be deleted and replaced as follows:

II.B: RFP Development

During the third stage of the procurement, a formal RFP will be issued to the short-listed respondents from the RFC stage. The completed RFP will include the following information:

- An Executive Summary that provides an overview of the evaluation and selection criteria, process and desired outcome
- A solicitation and project schedule that outlines key activities and due dates
- A description of all the submittal requirements, including but not limited to:
 - Financial requirements
 - Building design concepts
 - Statement on acceptance of Contract terms and conditions
- A description of the design process, pricing reviews and project management

- A description of expectations on risk transfer and establishing a guaranteed maximum price for EOF
- A detailed Architectural Program, site constraints and performance specification package for respondents to use when developing design concepts and preliminary project pricing for the submittal (To be developed by RRM Architects)
- Specific instructions about the written and graphic format required for design representations of respondents' design concepts for the EOF
- Instructions and templates for the respondents to provide preliminary pricing and a detailed project schedule for the EOF based on their design concept
- A description of the Evaluation Criteria and Process
- A description of the anticipated contractual relationship between the County and the 3rd Party Partner, including the attachment of a draft contract (To be developed by Marin legal counsel with input from Jones Lang LaSalle)
- If required, the 3rd Party Partner's proposal for project construction financing
- Supporting exhibits, including but not limited to:
 - Full architectural program and performance specifications
 - Draft Contract
 - Past studies relevant to the project
 - Site constraints

2. "All direct and indirect references to Task IV.RFP Stage are deleted from the Scope of Work and any language referencing work associated with this Task IV, including reference to this from the Project Delivery Plan. Due to the County's start of a program environmental review process in the fall 2009, this changed the implementation of the project delivery plan, and County and Contractor then determined the best approach was to go to a three-stage procurement process. On March 2, 2010 County and Contractor outlined the proposed final procurement process to the Board of Supervisors which approved implementing it. The first stage of the new, three-stage procurement process, the Request for Qualifications (RFQ) for design/development teams is in process at the time of this First Amendment. Contractor is responsible for the production and implementation of the new RFQ stage of the procurement process. The timing of the next two stages of the process, the Request for Concept (RFC) and the Request for Proposal (RFP), is linked to the timing of the completion of both the draft and final versions of the program environmental impact report, respectively. The writing of the RFP and responsibilities of both Contractor and County as described under Task II – Development of the Solicitation Documents shall remain unchanged, but only Contractors responsibilities under Task IV. RFP Stage are removed from the Scope of Services."

Exhibit "B" Fees and Payment Schedule is modified as follows:

Reference to Task IV. RFP Stage and the associated cost of \$160,000 is removed and replaced as follows: Task III. RFC Stage shall become "Task III.(b). RFC Stage" and the associated amount of \$125,000 shall remain the same. Insert above "Task III.(b). RFC Stage" a new "Task III.(a). RFQ (Request for Qualifications) Stage" with an associated cost of \$160,000. The rebate of \$65,000 from the Phase 1 consulting fee shall be applied to Task III.(a). and the final total fee for the Task III.(a). shall be \$95,000.

All other language shall remain the same.

IN WITNESS WHEREOF, the parties hereto have executed this **FIRST** Addendum on the day first written above.

CONTRACTOR:

COUNTY OF MARIN:

By: _____

County Administrator

=====

COUNTY COUNSEL REVIEW AND APPROVAL *(Only required if any of the noted reason(s) applies)*

REASON(S) REVIEW:

- ☐ Standard Short Form Content Has Been Modified
- ☐ Optional Review by County Counsel at Department's Request

County Counsel