



**COUNTY OF SAN MATEO**  
Inter-Departmental Correspondence  
Department of Public Works



**DATE:** September 28, 2011  
**BOARD MEETING DATE:** October 18, 2011  
**SPECIAL NOTICE/HEARING:** None  
**VOTE REQUIRED:** Majority

**TO:** Honorable Board of Supervisors  
**FROM:** James C. Porter, Director of Public Works  
**SUBJECT:** Amendment to the Agreement with Blue Water Design Group

**RECOMMENDATION:**

Adopt a Resolution authorizing the President of the Board of Supervisors to execute an amendment to the agreement with Blue Water Design Group, to extend the agreement term to March 30, 2012.

**BACKGROUND:**

On May 25, 2010, your Board adopted Resolution No. 070788, accepting a \$2,184,000 loan from the California Department of Boating and Waterways to replace Dock 29 at the Coyote Point Marina.

On September 14, 2010, your Board adopted Resolution No. 071038, executing an agreement with Blue Water Design Group to prepare plans, specifications, and secure permits for the replacement of Dock 29 at the Coyote Point Marina for the term September 14, 2010 through October 31, 2011, in an amount not to exceed \$109,929.

The Project involves engineering, design and replacement of Dock 29, which has reached the end of its usable life after thirty-plus years of use. The expected lifetime of a dock is normally thirty years. Dock 29 is the nearest dock to the channel to the Bay so it receives the greatest wind and tidal effects of any of our docks. The dock has cracked concrete, split wood, tilting decks and separated fascia. Individual berths are no longer level as they have been compromised by local conditions. All boats were removed from Dock 29 in the Fall of 2010 because of disrepair, which represents a loss of revenue of approximately \$9,000 per month.

**DISCUSSION:**

As part of the obligation for the Department of Boating and Waterways (DBAW) loan, San Mateo County Parks is required to review the design plans with DBAW staff at each stage of the review process. The original expectation was that DBAW would require a

two-week time period between each review but because of staff shortages at DBAW plan review has been delayed. As a result, the project is now seven months behind schedule and requires an extension to the agreement in order to complete the work. Bidding on the construction project is anticipated to take place in spring 2012 to allow for replacement of the dock during the Summer of 2012.

County Counsel has reviewed and approved the Resolution as to form.

Approval of this Resolution and Agreement extension contributes to the Shared Vision 2025 outcome of an Environmentally Conscious Community by maintaining recreational and berthing opportunities at the Coyote Point Marina.

**Performance Measure(s):**

<b>Measure</b>	<b>FY 2010-11 Actual</b>	<b>FY 2011-12 Projected</b>
<b>Number of berths for rent at Marina</b>	<b>523</b>	<b>564</b>

**FISCAL IMPACT:**

The \$109,929 agreement with Blue Water Design Group to prepare design plans, specifications, and secure permits is funded in whole by the DBAW loan. Repayment of the loan will begin in FY 2013-14 with proceeds from the increase in berth rental revenue at the new dock. There is no increase to the cost of the contract amount and no impact to the General Fund.

**RESOLUTION NO. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION**

**AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH BLUE WATER DESIGN GROUP, TO EXTEND THE AGREEMENT TERM TO MARCH 30, 2012**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, Dock 29 is a concrete dock, which when it was in good repair handled the largest boats (to 50 feet) in the Coyote Point Marina; and

**WHEREAS**, Dock 29 had to be removed because of severe damage due to its location at the most windward side of the Marina adjacent to the main entrance channel; and

**WHEREAS**, County Parks secured a loan from the California Department of Boating and Waterways to prepare design plans and specifications and to secure permits to replace the existing dock; and

**WHEREAS**, on September 14, 2010, the Board of Supervisors adopted Resolution No. 071038 authorizing the President of the Board to execute an agreement with Blue Water Design Group to prepare design plans and specifications and secure permits for the replacement of Dock 29 at the Coyote Point Marina for the term of September 14, 2011 through October 31, 2011, in an amount not to exceed \$109,929;

and

**WHEREAS**, as a condition of the loan the County is required to review design plans, specifications, and cost estimates through each stage of review (30%, 60%, 90%, and 100%) with California Department of Boating and Waterways' staff; and

**WHEREAS**, California Department of Boating and Waterways' staffing levels has delayed the review of those documents seven months longer than originally anticipated; and

**WHEREAS**, the Blue Water Design Group contract will expire October 31, 2011 and needs to be extended to March 30, 2012 to complete the necessary work.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the President of this Board of Supervisors be and is hereby authorized and directed to execute on behalf of the County of San Mateo, an amendment to the agreement with Blue Water Design Group to extend the term of the agreement to March 30, 2012, and the Clerk of this Board shall attest the President's signature thereto.

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**AMENDMENT TO AGREEMENT  
BETWEEN THE COUNTY OF SAN MATEO AND  
Blue Water Design**

THIS AMENDMENT TO THE AGREEMENT, entered into this 18th day of October, 2011, by and between the COUNTY OF SAN MATEO, hereinafter called "County," and Blue Water Design, hereinafter called "Contractor";

W I T N E S S E T H:

WHEREAS, pursuant to Government Code, Section 31000, County may contract with independent contractors for the furnishing of such services to or for County or any Department thereof;

WHEREAS, the parties entered into an Agreement to prepare Design Plans, Specifications, and secure necessary permits to replace dock 29 at the Coyote Point Marina services on September 14, 2010; and

WHEREAS, the parties wish to amend the Agreement to extend the contract from ending October 31, 2011 to March 30, 2012.

**NOW, THEREFORE, IT IS HEREBY AGREED BY THE PARTIES HERETO AS FOLLOWS:**

1. Section 4 of the agreement is amended to read as follows:

Subject to compliance with all terms and conditions, the term of this Agreement shall be from September 14, 2010 through March 30, 2012

4. **All other terms and conditions of the agreement dated September 14, 2010, between the County and Contractor shall remain in full force and effect.**

IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

COUNTY OF SAN MATEO

By: \_\_\_\_\_  
President, Board of Supervisors, San Mateo County

Date: \_\_\_\_\_

ATTEST:

By: \_\_\_\_\_  
Clerk of Said Board

Blue Water Design Group  
Tim Bazley, President  
2500 Via Cabrillo Marina, Suite 200  
San Pedro, CA 90731

  
\_\_\_\_\_  
Contractor's Signature

Date: 9-30-11