

**City of Carson City
Agenda Report**

Date Submitted: December 4, 2010

Agenda Date Requested: December 16, 2010
Time Requested: Consent

To: Mayor and Supervisors
From: Purchasing and Contracts

Subject Title: Action to Amend Contract No. 0910-171 Solar Project with PacificWest Energy Solutions, Inc., to increase the Scope of Work to include the redesign of the Solar Photovoltaic System on the Public Works Truck Shed, extend the contract termination date to December 30, 2010, and to increase the Contract amount from \$66,485.00 to \$73,910.00 from the Capital Project/Solar Project (ARRA) Fund Account as provided in FY 2010/2011. *(Sandy Scott-Fisher)*

Staff Summary: If approved, the Scope of Work for this contract will be to provide redesign of the Solar Photovoltaic System on the Public Works Truck Shed to accommodate two (2) 60 KW inverters instead of the originally designed one (1) 125 KW inverter.

Type of Action Requested: (check one)

Resolution Ordinance
 Formal Action/Motion Other (Specify)

Does This Action Require A Business Impact Statement: Yes No

Recommended Board Action: I move to Amend Contract No. 0910-171 Solar Project with PacificWest Energy Solutions, Inc. to increase the Scope of Work to include the redesign of the Solar Photovoltaic System on the Public Works Truck Shed, extend the contract termination date to December 30, 2010, and to increase the Contract amount from \$66,485.00 to \$73,910.00 from the Capital Project/Solar Project (ARRA) Fund Account as provided in FY 2010/2011. *(Sandy Scott-Fisher)*

Explanation for Recommended Board Action: Staff recommends amending contract 0910-171 with PacificWest Energy Solutions, Inc. to provide additional design work for the Solar Photovoltaic System on the Public Works Truck Shed.

Applicable Statute, Code, Policy, Rule or Regulation: NRS 625.530

Fiscal Impact: Increase in the contract amount by \$7,245.00

Funding Source: Capital Project/Solar Project (ARRA) 275-0620-465-8-78-15 Fund Account as provided in FY 2010/2011.

Prior Board Approval: Original Contract was approved March 18, 2010 in the amount of \$66,485.00.

Alternatives: Provide other direction.

Supporting Material: Contract Amendment No. 1, Exhibit A and B

Prepared By: Sandy Scott-Fisher, Purchasing and Contracts Coordinator

Reviewed By:



(Public Works)

Date: 12-6-10



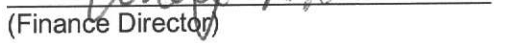
(City Manager)

Date: 12/2/10



(District Attorney)

Date: 12/6/10



(Finance Director)

Date: 12/7/10

Board Action Taken:

Motion: _____

1) _____ Aye/Nay

2) _____

(Vote Recorded By)

CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR
Amendment No. 1
Contract No. 0910-171
Solar Project

THIS AMENDMENT is made and entered into this 16th day of December, 2010, by and between the City and County of Carson City, a political subdivision of the State of Nevada, hereinafter referred to as the "**CITY**", and PacificWest Energy Solutions, Inc., hereinafter referred to as the "**CONSULTANT**", and is made to amend the existing contract known as **CONTRACT # 0910-171**.

WITNESSETH:

WHEREAS, the **CITY** desires to amend Section 2 **CONTRACT TERM**, Section 4 **SCOPE OF WORK** and Section 5 **CONSIDERATION** of the original contract to include that which is contained herein; and

WHEREAS, it is deemed that said amendment is both necessary and in the best interests of the **CITY**.

NOW, THEREFORE, in consideration of the aforesaid premises, the parties agree as follow:

WHEREAS, this Amendment shall not become effective until and unless approved by the Carson City Board of Supervisors.

1. Amend Paragraph 2.1 **CONTRACT TERM** of **CONTRACT 0910-171** to provide in its entirety as follows:

This contract will be in effect from March 18, 2010, subject to Carson City Board of Supervisors' approval (anticipated to be March 18, 2010) to December 30, 2010, unless sooner terminated by either party as specified in **Section 7 Contract Termination**.

2. Amend Paragraph 4.1 **SCOPE OF WORK** of **CONTRACT 0910-171** to provide in its entirety as follows:

CONTRACTOR shall provide and perform the following services as set forth in **Exhibit A** to this agreement and **Exhibit B** to this Amendment No. 1 to **CONTRACT 0910-171** attached hereto and incorporated herein by reference for and on behalf of the **CITY** herein referenced as "**Services**."

3. Amend Paragraph 5.1 **CONSIDERATION** of **CONTRACT 0910-171** to provide in its entirety as follows:

CITY agrees to pay **CONSULTANT** the **CONTRACT SUM** based upon time and materials for a not to exceed amount of \$73,910.00, which is an increase to the

CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR
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contract amount by \$7,425.00.

IT IS ALSO AGREED, that all unaffected conditions, requirements, and restrictions of the Original Contract document remain in full force and effect for the duration of the Contract term.

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ACKNOWLEDGMENT AND EXECUTION:

In witness whereof, the parties hereto have caused this Amendment to be signed and intend to be legally bound thereby.

CARSON CITY

Purchasing and Contracts Department
Sandy Scott-Fisher, Purchasing and
Contracts Coordinator
201 North Carson Street Suite 3
Carson City, Nevada 89701
Telephone: 775-283-7137
Fax: 775-887-2107
SScott@carson.org

CITY'S LEGAL COUNSEL

Neil A. Rombardo, District Attorney

I have reviewed this Contract and approve
as to its legal form.

By: 
Sandy Scott-Fisher

By: 
Deputy District Attorney

DATED 12/6/10

DATED 12/6/10

CITY'S ORIGINATING DEPARTMENT

BY: Andrew Burnham, Director
Carson City Public Works Department
3505 Butti Way
Carson City, NV 89701
Telephone: 775-887-2355
Fax: 775-887-2112
ABurnham@carson.org

By: 

DATED 12-6-10

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Robert Cho, P.E. deposes and says: That he is the **CONTRACTOR** or authorized agent of the **CONTRACTOR**; that he has read the foregoing Amendment; and that he understands the terms, conditions, and requirements thereof.

CONTRACTOR

BY: Robert Cho, P.E., CEM, CMVP

TITLE: President

FIRM: Pacific Energy Solutions, Inc.

CARSON CITY BUSINESS LICENSE #: 10-27095

Address: 561 Keystone Avenue, #300

City: Reno **State:** Nevada **Zip Code:** 89503

Telephone: 800-310-9080 / **Fax #:** 800-310-9596

E-mail Address: rcho@pacwestes.com



(Signature of **CONTRACTOR**)

DATED _____

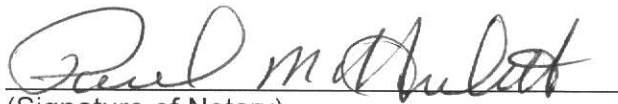
12/6/2010

STATE OF NEVADA)

County of WASHOE)

) ss

Signed and sworn (or affirmed) before me on this 6 day of DECEMBER, 2010, by
ROBERT CHO.



(Signature of Notary)

(Notary Stamp)

