



COUNTY OF PLACER

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OFFICE OF COUNTY EXECUTIVE

THOMAS M. MILLER, County Executive Officer

175 FULWEILER AVENUE / AUBURN, CALIFORNIA 95603

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www.placer.ca.gov

TO: Honorable Board of Supervisors

FROM: Thomas M. Miller, County Executive Officer
By Brett Storey, Senior Management Analyst

DATE: April 3, 2007

SUBJECT: Authorize Contract amendment for Advanced Energy Strategies to support the Middle Fork American River Hydroelectric Project through the rest of this fiscal year.

Action Requested:

Authorize BOS Chairman Kranz to sign contractual amendment to the original agreement with Dean Tibbs of Advanced Energy Strategies to support the Middle Fork American River Hydroelectric Project.

Background:

Advanced Energy Strategies, specifically Mr. Dean R. Tibbs, Ph.D. have been providing valuable technical services to the County during the past few years for the Middle Fork American River Hydroelectric Project. He and his staff have extensive background in dealing with government and private energy projects. We are asking to continue to provide guidance and technical details in the following areas to support the County Executive Office in coordinating with PCWA for this critical relicensing effort. The CEO office has a permanent staff person assigned to this effort so the amount of consulting hours should be greatly reduced from years past.

We request the Chairman sign this amendment for \$50,000 to increase to a \$300,000 total. County Counsel has advised this is the proper way to complete. Starting in July, AES will have a new yearly contract to coincide with our fiscal year. AES will work closely with CEO staff to ensure our county is represented for this critical project.

Fiscal Impact:

The not to exceed amount of the contract is for \$50,000 for the remainder of fiscal year 2006/07.

TM/BS

Project: Middle Fork American River Hydroelectric Project (MFP)

Administering Agency: Placer County Executive Office

Contract No. : 12086 – Amendment #2

Contract Description: Professional Consulting Services related to Middle Fork American River Hydroelectric Project (MFP)

SECOND AMENDED CONSULTANT SERVICES AGREEMENT

This SECOND AMENDMENT to the CONSULTANT SERVICES AGREEMENT entered on August 9, 2005 (Contract No. 12086) is made at Auburn, California, as of March 23, 2007 by and between the County of Placer, (“County”), and Advanced Energy Strategies, Inc., (“Consultant”), a California corporation, who agree as follows:

1. **Services.** Subject to the terms and conditions set forth in this First Amendment, Consultant shall continue to provide the services described in Exhibit A of the original Agreement. Additionally, Consultant shall continue to provide said services at the time, place, and in the manner specified in Exhibit A of the same original Agreement.
2. **Payment.** The County and Consultant hereby amend the Agreement to increase the payment for services rendered in the amount of \$50,000, so that the maximum amount payable under the Agreement shall be **Three Hundred Thousand Dollars (\$300,000)**. County shall pay Consultant for services rendered pursuant to the original Agreement at the time and in the amount set forth in Exhibit B, as amended and attached hereto. The payment specified in Exhibit B shall be the only payment made to Consultant for services rendered pursuant to this Agreement. Consultant shall submit all billings for said services to County in the manner specified in Exhibit B; or, if no manner is specified in Exhibit B, then according to the usual and customary procedures which Consultant uses for billing clients similar to County.
3. **Facilities, Equipment and Other Materials, and Obligations of County.**
Terms and conditions as set forth in the original Agreement remain in effect.
4. **General Provisions.** The general provisions as set forth in the original Agreement remain in effect.
5. **Exhibits.** With the exception of Exhibit B, which has been amended as of this date, and attached hereto, all exhibits referred to in the original Agreement, dates August 9, 2005, remain in effect.

6. **Time for Performance.** Time is of the essence, and as such, the terms and conditions as set forth in the original Agreement remain in effect.

Executed as of the day first above stated:

COUNTY OF PLACER

By: _____
Bruce Kranz
Chairman, Board of Supervisors

Approved As to Form

County Counsel

Consultant*

By: _____
Name: Dean R. Tibbs, Ph.D.
Title: President, Advanced Energy Strategies, Inc.

By: _____
Name: Juanita A. Tibbs
Title: Secretary

* Agreement must be signed by two corporate officers if a corporation; one must be the secretary of the corporation, and the other may be either the President or Vice President, unless and authenticated corporate resolution is attached delegating authority to a single officer to bind the corporation.

