



CT. FC-10026134-NP-4
11-30-13
11-30-15
Cost
Revenue
Total
Action
Renewal
Term
Reviewed by

BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: 11/12/2013

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

A no-cost, 2-year contract extension amendment is requested for Dr. Thomas J. Myers as a reviewer and expert opinion regarding the impacts of the proposed Rosemont mine on groundwater quality and quantity and reductions in flow on Davidson and Cienega Creeks, as presented in the Environmental Impact Statement (EIS)

CONTRACT NUMBER (If applicable): 07-59-T-142669-1209

STAFF RECOMMENDATION(S):

Staff recommends a 2-year, no-cost extension amendment of Dr. Myers contract due to the drawn out nature of the proposed Rosemont Environmental Impact Statement (EIS) which Dr. Myers has been requested to review. Dr. Myers developed a 3-D groundwater model for Pima County evaluating the impacts of the proposed mine, and has been referenced in the EIS. His expertise is needed to evaluate the conclusions drawn by the EIS regarding the impacts to water quality and quantity. He may also be asked to provide additional modeling scenarios and expert testimony, if needed.

CORPORATE HEADQUARTERS: N/A. Dr. Myers lives in Reno Nevada but is not incorporated

To: COB - 10-30-13
Agenda - 11-12-13
(2)

Procure Dept 10/27/13 PM 02:02

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: \$0.00 and/or REVENUE TO PIMA COUNTY:\$

FUNDING SOURCE(S): Flood Control Tax Levy
(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

<input type="checkbox"/>	YES	<input checked="" type="checkbox"/>	NO
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Board of Supervisors District:

1	<input type="checkbox"/>	2	<input checked="" type="checkbox"/>	3	<input type="checkbox"/>	4	<input checked="" type="checkbox"/>	5	<input type="checkbox"/>	All	<input type="checkbox"/>
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IMPACT:

IF APPROVED: Will provide the necessary review to make an informed decision regarding impacts to Pima County Unique waters of Davidson Canyon and Cienega Creek Basin and Nature Preserve.

IF DENIED: A less informed decision will be made regarding impacts to Pima County Unique waters of Davidson Canyon and Cienega Creek Basin and Nature Preserve, which may impact the residents of the County in the future.

DEPARTMENT NAME:

CONTACT PERSON: Frank Postillion TELEPHONE NO.: 520-724-4653

<p>PIMA COUNTY REGIONAL FLOOD CONTROL DISTRICT</p> <p>PROJECT: : Rosemont Mine Groundwater Modeling and Review</p> <p>CONTRACTOR: Thomas J. Myers 6320 Walnut Creek Road Reno, NV 89512</p> <p>CONTRACT NO.: CT-FC-10026134-NP</p> <p>CONTRACT AMENDMENT NO. Four (04)</p>	<table border="1"> <tr> <th colspan="2">CONTRACT</th></tr> <tr> <td>NO.</td><td>CT-FC-10026134-NP</td></tr> <tr> <td>AMENDMENT NO.</td><td>04</td></tr> <tr> <td colspan="2">This number must appear on all invoices, correspondence and documents pertaining to this contract.</td></tr> </table>	CONTRACT		NO.	CT-FC-10026134-NP	AMENDMENT NO.	04	This number must appear on all invoices, correspondence and documents pertaining to this contract.	
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ORIG. CONTRACT TERM: 12/01/2009 - 11/30/2010	ORIG. CONTRACT AMOUNT:	\$	11,000.00
TERMINATION DATE PRIOR AMENDMENT: 11/30/13	PRIOR AMENDMENTS:	\$	90,000.00
TERMINATION THIS AMENDMENT: 11/30/15	AMOUNT THIS AMENDMENT:	\$	0.00
	REVISED CONTRACT AMOUNT:	\$	101,000.00

CONTRACT AMENDMENT No. 4

WHEREAS, DISTRICT and CONTRACTOR entered into a Contract for services as referenced above; and

WHEREAS, DISTRICT requires the continued provision of CONTRACTOR's review and comment on several groundwater models and reports by Rosemont Consultants, preparation of additional transient simulations of the Contractor's Rosemont flow model, review of the Rosemont Environmental Impact Statement, and expert testimony regarding permit appeals during the extended term of the contract; and

WHEREAS, CONTRACTOR and DISTRICT, pursuant to Article I - Term, have agreed to extend the Contract term for an additional period of two years;

NOW, THEREFORE, it is agreed as follows:

CHANGE: ARTICLE I - TERM:

From: "... shall terminate on the 30th day of November, 2013..."

To: "... shall terminate on the 30th day of November, 2015..."

The effective date of this Amendment shall be November 30, 2013.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)

All other provisions of the Contract, not specifically changed by this Amendment, shall remain in effect and be binding upon the parties.

IN WITNESS THEREOF, the parties have affixed their signatures to this Amendment on the dates written below.

Pima County Regional Flood Control District:

Contractor:

Chairman, Board of Directors

Signature

ATTEST:

Name and Title (Please Print) *Thomas J Myers Hydrologic Consultant*

Date *11/7/13*

Clerk of the Board

Approved as to form:

Deputy County Attorney

HAL GILBREATH

Print DCA Name

Date

Approved as to content:

Suzanne Shields, Director
Pima County Regional Flood Control District

Date