



## FORT ORD REUSE AUTHORITY

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Andrew Hunter, PE  
Principal  
Whitson Engineers  
6 Harris Court  
Monterey, California 93940  
**Email transmittal to: [ahunter@whitsonengineers.com](mailto:ahunter@whitsonengineers.com)**

June 29, 2020

**RE: Close-out of Contracts: FC-052010-5 and FC-20171117**

Dear Mr. Hunter:

Whitson and Associates, Inc., dba Whitson Engineers (Whitson) has open contracts with the Fort Ord Reuse Authority (FORA) to provide engineering studies and design services on various roadway projects throughout the former Fort Ord. Specifically, FC-052010-5 (Base Contract and Amendments 1 through 5) contracted for services associated with the oversight and completion of the Eastside Parkway Environmental Review, engineering services in support of the California Central Coast Veterans Cemetery, and surveying and engineering services on a variety of projects as directed by FORA. FC-20171117 (Base Contract and Amendments 1 through 4; Service Work Orders [SWO] 1 through 7) contracted for services in support of a number of projects including NE/SW Connector, Gigling Road, South Boundary Road, General Jim Moore Boulevard Intersection, Transportation Transition Study and Peer Review for Eucalyptus Road.

As you are well aware, FORA sunsets on June 30, 2020 and is unable to complete all projects identified in and funded through FORA's Capital Improvement Program (CIP). With regard to Whitson's FC-20171117 contract, FORA and the City of Del Rey Oaks (DRO) have entered into a *"Memorandum of Agreement Regarding Funding to be Provided for the South Boundary Roadway and the Intersection at General Jim Moore Boulevard Improvements"*, which, among other things, provides for the transfer of project funds and responsibility to DRO for implementation of the South Boundary Roadway and General Jim Moore Boulevard Intersection improvements. The assignment of those aspects of Contract FC-20171117 relating to such improvements (SWO 1, 2, 4 and 5) to DRO will be accomplished through an agreement entered into between FORA, DRO, and Whitson titled *"Assignment and Assumption of Rights and Obligations Under Contract, Consent Thereto, and Suspension of Application of Assignment Prohibition"*. FORA currently in the process of finalizing the transfer of documents and funds to DRO.

As FORA terminates operations, all open Contracts and Service Work Orders between FORA and Whitson (including but not limited to Contract FC-052010 and Service Work Orders 3, 6, and 7 under Contract FC-20171117) are to be closed out and only those aspects of Contract FC-20171117 pertaining to the South Boundary Roadway and General Jim Moore Boulevard Intersection improvements (SWO 1, 2, 4, and 5) may be carried forward (at the sole expense of DRO).

In accordance with the terms and conditions of FC-052010 and FC-20171117 and all amendments thereto, please take this letter as notification of FORA's cancellation and close-out of these Contracts and Service Work Orders and all associated amendments, and cease all work associated with the South Boundary Roadway and General Jim Moore Boulevard Intersection improvements until directed to resume by DRO (at DRO's expense).

Our records indicate that you are paid in full for all invoices submitted to FORA. If you have any project files or deliverables that have not yet been transmitted to our office, please complete these efforts as soon as possible. Please contact Kristie Reimer, Consultant to FORA at 650/224-8545 with questions or concerns.

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Your efforts and the support from Whitson Engineers have been greatly appreciated.

Best Regards,



Joshua Metz

Fort Ord Reuse Authority, Executive Officer

CC: Jon Giffen, Kennedy Archer & Giffen, FORA's Legal Counsel  
Dino Pick, City Manager, City of Del Rey Oaks