



## Legislation Details (With Text)

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**On agenda:** 6/27/2017      **Final action:** 6/27/2017

**Title:** Community Development Services, Department of Transportation, recommending the Board approve and authorize the Chair to sign Amendment 1 to Agreement for Services 323-S1711 with Black Fox Timber Management Group, Inc., for the provision of tree mortality project coordination services, extending the term of the contract until December 31, 2018 upon final execution, with no other changes to the contract.

**FUNDING:** California Disaster Assistance Act Funds (75%) and General Fund (25%).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 3A - Black Fox Approved Contract Routing Sheet 6-27-17, 2. 3B - Black Fox First Amend 6-27-17, 3. Executed 1st Amd. to Agreement 323-S1711, 4. 2A - Black Fox Timber Management Contract - Blue Route - Tree Mortality 11-15-16, 5. 2B - Black Fox Timber Management Contract - Tree Moratlity 11-15-16, 6. 2C - Black Fox Timber Management Contract Exhibit A - Tree Mortality 11-15-16, 7. 2D - Black Fox Timber Management Contract Exhibit B - Tree Mortality 11-15-16, 8. 2E - Black Fox Timber Management Contract Exhibit C - Tree Mortality, 9. Executed Agreement 323-S1711 11-15-16

Date	Ver.	Action By	Action	Result
6/27/2017	3	Board of Supervisors	Approved	Pass
11/15/2016	2	Board of Supervisors	Approved	Pass
10/25/2016	1	Board of Supervisors	Approved	Pass

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**DEPARTMENT RECOMMENDATION:**

Community Development Agency, Transportation Division, recommending the Board approve and authorize the Chair to sign Amendment 1 to Agreement for Services 323-S1711 with Black Fox Timber Management Group, Inc., for the provision of tree mortality project coordination services, extending the term of the contract until December 31, 2018 upon final execution, with no other changes to the contract.

**DISCUSSION / BACKGROUND:**

On October 30, 2015, Governor Brown proclaimed a State of Emergency due to unprecedented tree mortality caused by conditions of extreme drought and drought-related bark beetle infestations. The Governor's Emergency Proclamation contains 18 distinct actions that direct state agencies, utilities and local governments to remove dead or dying trees in high hazard areas across the entire State of

California.

On March 28, 2016, the El Dorado County Board of Supervisors declared a state of emergency due to pervasive tree mortality in El Dorado County.

Data collected by State and federal agencies demonstrates that drought conditions and bark beetle infestation have killed over 102 million trees in the State of California, and that tens of millions more are likely to die over the next five to six years. Surveys conducted by the U.S. Forest Service in May estimate that new tree mortality (between October 2015 and May 2016) in El Dorado County has affected an estimated 512,000 conifer trees. Many of these trees are located in the Eldorado National Forest or on private land. However, some of these trees endanger County infrastructure (e.g., County roads and County buildings). In comparison, counties to the south of El Dorado County have had the following estimated number of dead conifer trees (between October 2015 and May 2016):

Tulare County - 8,100,000  
Madera County - 3,800,000  
Mariposa County - 3,200,000  
Tuolumne County - 2,500,000  
Kern County - 2,200,000

Acting alone, El Dorado County lacks the capacity and resources to address this expanding emergency that threatens County infrastructure. The Board's adoption of Resolution 053-2016 on March 28, 2016 enabled the County to start the process to seek State and possibly Federal funding and demonstrated the County's intent to partner with State, Federal, and local agencies and with private partners in order to immediately and effectively address tree mortality throughout the County.

On May 17, 2016, the Board of Supervisors approved the County's Tree Mortality Hazard Tree Removal Plan and allowed for the process of assessing the amount of dead trees that are threatening County maintained road infrastructure by transferring funds to the Community Development Agency to complete the count. The Facilities Division completed a dead tree count on County property that threatens County infrastructure.

Through the tree count, at the time, the County estimated that it had approximately 3,100 trees to remove that threaten county infrastructure (e.g., County roads or County buildings). Of the 3,100 trees that need removal, approximately 2,800 are threatening County roads and 300 are threatening County buildings and other infrastructure. These numbers are just estimates of the number of dead and diseased trees to be removed due to the threat to County-owned infrastructure. The number of dead and diseased trees has increased over the summer and fall and new tree count numbers will be available soon. It is important to note that trees marked for actual removal under California Disaster Assistance Act (CDAA) funding must be verified by Registered Professional Foresters (RPFs) or Certified Arborists.

On August 2, 2016 (agenda item 33), the Board of Supervisors authorized the Chair to sign the CDAA application and authorized the submittal of the application for funding related to the State's declared Tree Mortality emergency.

On September 2, 2016, the El Dorado County Sheriff's Department was notified by the Governor's Office of Emergency Services that the County was approved for CDAA funding.

On, September 8, 2016, the Procurement and Contracts Division, on behalf of the Chief Administrative Office, released Request for Proposal (RFP) No. 17-918-009, soliciting responses for tree mortality coordination services. Three responses were received which met the requirements of the RFP. The three responses were reviewed by a panel of four evaluators. Members of the panel represented the Health and Human Services Agency, Community Development Agency, Chief Administrative Office, and the Office of District Four Supervisor Michael Ranalli. A consensus meeting was convened which identified Black Fox Management Group Inc. as the highest scoring proposal, scoring 397 out of a possible 448 points. The proposals not selected scored 297, and 332 out of a possible 448.

Since being under contract, Black Fox has worked with County staff to begin the public outreach process, confirm the eligibility of trees to be removed using CDAA funding, created scopes of work and cost estimates for tree removal contracts, and inspected the work performed by tree removal firms. Tree removal work has been underway in the Camino and Grizzly Flats area. New projects for FY 2017-18 will be identified soon.

**ALTERNATIVES:**

If the Board chooses not approve this Agreement, it will be more difficult to remove trees that threaten County infrastructure. The contract with Black Fox expires at the end of the fiscal year. The original contract allows for extensions to the contract. To be eligible for CDAA funding, the dead and dying trees which threaten County infrastructure must be evaluated and identified by a Registered Professional Forester or Certified Arborist. If the contract is not extended, the County will not be able to continue with the tree mortality process until a new process is completed to select a new tree mortality coordinator. A new RFP process could take two to three months.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT:**

Chief Administrative Office, County Counsel, and Risk Management.

**CAO RECOMMENDATION:**

It is recommended that the Board approve this item.

**FINANCIAL IMPACT:**

There is a Net County Cost associated with this Agenda item. The services provided under the proposed Agreement are reimbursable under CDAA funding. Use of CDAA funding requires that the County provide a 25% funding match. Sufficient appropriations from the County General Fund to provide the County's 25% match were included in the Fiscal Year 2016-17 Adopted Budget and the Fiscal Year 2017-18 Recommended Budgets.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board will obtain signature of Board Chair on two (2) original Agreements.
- 2) Clerk of the Board to return both signed Agreements to the CDA Contracts Unit for further processing.

**STRATEGIC PLAN COMPONENT:**

Public Safety and Infrastructure goals.

**CONTACT**

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