



County of El Dorado

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Legislation Details (With Text)

File #: 14-0848 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 6/11/2014 **In control:** Board of Supervisors

On agenda: 7/15/2014 **Final action:** 7/15/2014

Title: Community Development Agency, Transportation Division, recommending the Board consider the following:
 1) Make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance that there are specialty skills required for the work performed under this Agreement that are not expressly identified in County job classifications; therefore, it is more economical and feasible to engage an independent contractor; and
 2) Approve and authorize the Chair to sign the First Amendment to Agreement for Services No.11-53293 with CH2M Hill, Inc. in an amount of \$100,000 for a term to begin upon execution and expire on June 30, 2017, to provide additional on-call structural engineering support services in support of various Capital Improvement Program projects and to amend Articles of the Agreement to conform to current contract standards.

FUNDING: Various Local, State and Federal Funding Sources (Federal Funds).

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - App CRS 7-15-14, 2. B - First Amendment to AGMT 11-53293 7-15-14, 3. Executed Agreement 7-15-14 item 23.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|----------------------|----------|--------|
| 7/15/2014 | 1 | Board of Supervisors | Approved | Pass |

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| BUDGET SUMMARY: | |
|---------------------------|------------|
| Total Estimated Cost..... | \$ 100,000 |
| | |
| Budget - Current FY..... | \$ 100,000 |
| Budget - Future FY..... | |

| | |
|--------------------------------|------------|
| | |
| New Funding..... | |
| Savings..... | |
| Other..... | |
| Total Funding Available..... | \$ 100,000 |
| | |
| Change To Net County Cost..... | \$ 0 |

Fiscal Impact/Change to Net County Cost

The First Amendment amount of \$100,000 brings the total Agreement No. 11-53293 not-to-exceed amount to \$400,000. The Community Development Agency, Transportation Division (Transportation), has sufficient revenues budgeted to fund this Amendment. There is no change to net County cost.

Background

At a regular meeting on March 20, 2012, the Board approved Agreement 11-53293 with CH2M Hill, Inc. (Consultant) to provide on-call structural engineering support services in support of various Capital Improvement Program (CIP) projects. The subject Agreement was approved by County Counsel and signed by the Board Chair in an amount of \$300,000. Transportation engaged the Consultant through a Task Order to prepare a feasibility study for the Silver Fork Road at South Fork American River - Bridge Replacement Project (Project) in June 2012 and a Task Order for design services for this Project in October 2013. The design services Task Order was amended to include unanticipated design services; therefore, used additional funds from the Agreement. The First Amendment increases the not-to-exceed amount of the Agreement to allow Transportation to issue additional Task Orders or Task Order Amendments for design support services related to the complex structural aspects of CIP projects and to issue a Task Order for design support services during construction for the above mentioned Project.

Reason for Recommendation

Transportation recommends that the Board make findings in accordance with Chapter 3.13, Section 3.13.030 of the County Ordinance that it is more economical and feasible to engage an independent contractor because there are specialty skills required for the work performed under this Agreement that are not expressly identified in County job classifications. This Amendment is necessary to allow the Consultant to perform additional design support services for future CIP projects, as well as update certain Articles in the Agreement as follows:

- 1) Update the milestone reviews paragraph in **ARTICLE I, Scope of Services**;
- 2) Extend the expiration date of the Agreement by six months in the event construction close out for the above-mentioned Project extends beyond 2016, amending **ARTICLE II, Term**;
- 3) Increase the not-to-exceed amount of the Agreement by \$100,000 and add indirect cost audit review and certified payroll requirements, amending **ARTICLE III, Compensation for Services**;
- 4) Update the prevailing wage requirements, amending **ARTICLE XIV, Prevailing Wage**;
- 5) Update the notices recipients, amending **ARTICLE XVII, Notice to Parties**;
- 6) Update the insurance requirements, amending **ARTICLE XIX, Insurance**;
- 7) Update the interest of consultant article, amending **ARTICLE XXI, Interest of Consultant** and adding **Exhibit J**;
- 8) Update the grant funding provisions, amending **ARTICLE XXXVIII, Disadvantaged Business Enterprise (DBE) Considerations**; **ARTICLE XXXIX, DBE Participation**; **ARTICLE XL,**

Nondiscrimination; ARTICLE XLII, Debarment and Suspension Certification; ARTICLE XLIV, Disputes, and ARTICLE XLV, Audit Review Procedures;

9) Update the Contract Administrator's division; and

10) Add the following articles to reflect updated County contracting provisions: **ARTICLE LVIII, Change of Address; ARTICLE LIX, Equipment Purchase; ARTICLE LX, No Third Party Beneficiaries; ARTICLE LXI, Counterparts; ARTICLE LXII, Taxes and ARTICLE LXIII, Conflict of Interest.**

Approval of these amended Articles and additional funds are needed to continue work on future CIP projects and to bring the contract provisions into compliance with the latest federal funding requirements. Notwithstanding, the use of the Consultant's services for the above mentioned Project, additional services may be used sporadically throughout the development and construction of future CIP projects. These projects may require structural engineering expertise not found in current County Bargaining Unit classifications that are necessary to meet state and federal standards related to bridge design and replacement. Transportation will assess the needs of a project, complexity of design, and term of the Agreement to determine the use of Consultant's services.

The Procurement and Contracts Division completed a Request for Qualifications (RFQ) process for Transportation in February 2011. Based upon the results of that RFQ process, the Department conducted a Request for Proposals process in August 2011. CH2M Hill, Inc. was one of the firms determined to be highly qualified to provide the structural engineering support services required for this Agreement. This selection process satisfies Section 7.10 of Board of Supervisors Policy C-17.

Section 4.5 of Board of Supervisors Policy C-17 requires Board of Supervisors approval for contracts exceeding three years. Since the term of the Agreement exceeds three years, Transportation is seeking Board approval.

The El Dorado County Employees Association, Local #1, has been informed of this proposed Agreement Amendment.

Clerk of the Board Follow Up Actions

- 1) The Clerk of the Board will obtain the Chair's signature on the two originals of the Amendment.
- 2) The Clerk of the Board will forward one original of the Amendment to Transportation for further processing.

Contact

Bard R. Lower, Transportation Division Director
Community Development Agency

Concurrences

County Counsel and Risk Management