



## Legislation Details (With Text)

**File #:** 23-1371      **Version:** 1

**Type:** Agenda Item      **Status:** Approved

**File created:** 7/10/2023      **In control:** Board of Supervisors

**On agenda:** 8/22/2023      **Final action:** 8/22/2023

**Title:** Department of Transportation recommending the Board approve and authorize the Chair to sign Second Amendment to Agreement for Services 4976 with SWCA Environmental Consultants, extending the term for one (1) additional year, with no changes to the compensation of \$132,118.94, rate schedule, or scope of work of the agreement.

FUNDING: Road Fund.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Approved Contract Routing Sheet, 2. B - Second Amend to Agmt 4976, 3. C - First Amend to Agmt 4976, 4. D - Agreement 4976, 5. Executed Second Amendment to Agreement 4976

| Date      | Ver. | Action By            | Action   | Result |
|-----------|------|----------------------|----------|--------|
| 8/22/2023 | 1    | Board of Supervisors | Approved | Pass   |

Department of Transportation recommending the Board approve and authorize the Chair to sign Second Amendment to Agreement for Services 4976 with SWCA Environmental Consultants, extending the term for one (1) additional year, with no changes to the compensation of \$132,118.94, rate schedule, or scope of work of the agreement.

**FUNDING:** Road Fund.

### DISCUSSION / BACKGROUND

On September 1, 2020, Item 19, Legistar 20-0948, the Board approved Agreement for Services #4976 (Agreement) with Sycamore Environmental Consultants, Inc. (Sycamore). The Agreement contracted Sycamore to draft a Routine Maintenance Agreement (RMA) with the California Department of Fish and Wildlife (CDFW), replacing the need for the Department of Transportation (Transportation) to obtain a Streambed Alteration Agreement (SAA) from CDFW on a project-by-project basis prior to conducting any maintenance activity that could substantially adversely affect fish and wildlife resources.

In May 2021, Transportation was notified that Sycamore had been acquired by SWCA, Incorporated, an Arizona corporation that does business as SWCA Environmental Consultants (SWCA), effective April 13, 2021. SWCA assumed Sycamore’s rights and obligations under the Agreement. On September 21, 2021, Item 28, Legistar 21-1374, the Board approved the First Amendment to the Agreement, which reflected the change in ownership. Due to delays with the review and approval of the SAA with the CDFW, Transportation is requesting to add one (1) additional year to the Agreement to expire on August 31, 2024. There is no change to the compensation, rate schedule, or scope of work under this Agreement. Article XXIV, Conflict of Interest, has been amended, and Article XXXVII, Electronic Signatures, has been added to the Second Amendment.

## **ALTERNATIVES**

The Board could choose not to approve the Second Amendment. Transportation would be required to terminate the original Agreement and First Amendment and issue a new Request for Proposals to complete the remaining work on the Agreement. This would add significant time and cost.

## **PRIOR BOARD ACTION**

See Discussion / Background section.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel has reviewed and approved this Second Amendment.

## **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

## **FINANCIAL IMPACT**

There is no change to net County cost associated with this item. Funding for the Agreement will be provided by local Road Funding and there are no changes to the contract amount.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original of the Second Amendment.
- 2) The Clerk of the Board will forward one (1) fully executed copy to Chief Administrative Office, Procurement and Contracts Division, Attn: Matt Potter, for further processing.

## **STRATEGIC PLAN COMPONENT**

Infrastructure

## **CONTACT**

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Department of Transportation