



## Legislation Details (With Text)

**File #:** 23-0368      **Version:** 1

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

**File created:** 2/8/2023      **In control:** Board of Supervisors

**On agenda:** 3/7/2023      **Final action:** 3/7/2023

**Title:** Chief Administrative Office, Procurement and Contracts on behalf of the Chief Administrative Office Facilities Division, the Department of Transportation, and the Planning and Building Department Airports and Cemeteries Division, recommending the Board approve the following:

- 1) Authorize the Purchasing Agent to execute Amendment I to Agreement for Services 5910 with Eric S. Hill doing business as Hilltop Tree Service to increase compensation by \$150,000 for an amended not-to-exceed amount of \$305,000 to provide as-needed certified arborist services for matters of public safety; and
- 2) Make findings that due to the limited time frames, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed under Agreement for Services 5910 is not sufficient to warrant the addition of permanent staff in accordance with Chapter 3.13, Section 3.13.030, of the County Purchasing Ordinance.

**FUNDING:** General Fund (50%) and Road Fund (50%).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Amd-1 CARS Approved.pdf, 2. B - Amd-1 Draft Amd.pdf, 3. C - FE Agmt #5910.pdf

Date	Ver.	Action By	Action	Result
3/7/2023	1	Board of Supervisors	Approved	Pass

Chief Administrative Office, Procurement and Contracts on behalf of the Chief Administrative Office Facilities Division, the Department of Transportation, and the Planning and Building Department Airports and Cemeteries Division, recommending the Board approve the following:

- 1) Authorize the Purchasing Agent to execute Amendment I to Agreement for Services 5910 with Eric S. Hill doing business as Hilltop Tree Service to increase compensation by \$150,000 for an amended not-to-exceed amount of \$305,000 to provide as-needed certified arborist services for matters of public safety; and
- 2) Make findings that due to the limited time frames, temporary or occasional nature, or schedule for the project or scope of work, the ongoing aggregate of work to be performed under Agreement for Services 5910 is not sufficient to warrant the addition of permanent staff in accordance with Chapter 3.13, Section 3.13.030, of the County Purchasing Ordinance.

**FUNDING:** General Fund (50%) and Road Fund (50%).

**DISCUSSION / BACKGROUND**

On November 9, 2021, the Board of Supervisors authorized the Purchasing Agent to execute Agreement for Services 5910 with Eric S. Hill doing business as Hilltop Tree Service for a three-year term in the maximum amount of \$155,000. Services provided under this agreement include as-needed and emergency certified arborist services, including routine recurring tree and brush cutting services for the preservation or protection of County-owned or operated facilities and public safety.

Due to the significant winter storms in January 2023 emergency services have unexpectedly depleted the remaining funds on this contract. To date, less than \$17,000 remains available for use on this contract. Since this contract is scheduled to end on November 8, 2024 additional funds are needed so that services remain available to County departments. Amendment I increases compensation by \$150,000 for an amended not-to-exceed amount of \$305,000. The Amendment also includes contract language updates to the following articles: Article XII, Safety; Article XXVI, Notice to Parties; Article XXVIII Indemnity; Article XXIX, Insurance; Article XXX, Licenses; Article XXXVI, Conflict of Interest; Article XLII, Contract Administrator; and adds new Article XLVIII, Electronic Signatures.

Due to the fact these services are primarily utilized in short term and temporary situations it is further recommended the Board make findings pursuant to Article II, Section 210b(6) of the El Dorado County Charter and section 3.13.030, C, of County Ordinance 5116 that the ongoing aggregate of the work performed under this Agreement is not sufficient to warrant the addition of permanent staff.

### **ALTERNATIVES**

The Board could decline this amendment and County departments would have to find other means to address certified arborist services for matters of public safety.

### **PRIOR BOARD ACTION**

11/9/2021, Agenda Item #4, File ID #21-1620

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel, Risk Management, and Human Resources

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

Agreement for Services 5910 is a renewal of a prior agreement and continues to be funded with 50% General Fund and 50% Road Fund. Each County department that will use this Agreement is responsible for ensuring that sufficient appropriations are included in their current Fiscal Year operating budget and will be included in future budgets throughout the term of this Agreement.

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

N/A

### **STRATEGIC PLAN COMPONENT**

Infrastructure, Public Safety

### **CONTACT**

Michele Weimer, Procurement and Contracts Manager