



Legislation Text

File #: 10-1227, **Version:** 1

Department of Transportation recommending the Board authorize the Chair to sign the First Amendment to Agreement for Services No. AGMT 08-1838 with Michael Brandman Associates amending Article II to extend the December 15, 2010, expiration date to the date of County's receipt of the State and Federal Wetlands Permits identified in Supplemental Item of Work J of the Agreement; amending Article III to eliminate the annual hourly rate increase provisions; and amending other Articles of the contract to conform to current contract standards for providing environmental services in support of the Diamond Springs Parkway - Phase 1 Project.

Fiscal Impact/Change to Net County Cost:

There is no net cost to the County General Fund associated with this First Amendment to Agreement for Services # AGMT 08-1838.

Background:

Diamond Springs Parkway - Phase 1 (Project), previously known as the Missouri Flat Road/Pleasant Valley Connector, is listed as a new road in the 1996 and 2004 General Plans and is included in the current adopted 2010 Capital Improvement Program.

On April 29, 2008, the Board authorized the Department of Transportation (Department) to negotiate an agreement with Granite Grado Ventures, Missouri Flat, LLC (GGV) for the advancement of planning, design, and construction costs for the Project. During negotiations of the proposed agreement, the County determined that it should lead the Project delivery effort.

On December 16, 2008, the Board approved four agreements which included a negotiated funding agreement between the County and GGV for reimbursement of specified Project design and environmental costs, and three professional services agreements necessary to assist the Department with its Project delivery effort and to continue the work started by GGV. Agreement # 08-1838 (Agreement) with Michael Brandman Associates was included in this group of agreements and was approved for providing environmental services to complete the Project's Environmental Impact Report for the ultimate four-lane (4-lane) road, with services approved for a two-year term expiring December 15, 2010, and with a not-to-exceed amount of \$180,000.

Since approval of this Agreement, Notices to Proceed for certain Supplemental Items of Work have been issued. Specifically, Supplemental Item of Work J was issued on January 28, 2009, for work associated with State and Federal Wetlands permitting. The Department's Roadway Design Division staff advises that these permits will not be received until approximately eighteen (18) months after the certification of the Final EIR, anticipated for February 2011.

Reason for Recommendation:

The primary purpose of this Amendment is to extend the expiration date of this Agreement to expire upon County's receipt of the State and Federal Wetlands permits identified in Supplemental Item of Work J of the Agreement. Sufficient funds remain in the original not-to-exceed amount to provide for services through the extended term.

This First Amendment amends Article II, to extend the December 15, 2010, expiration date to the date of County's receipt of the State and Federal Wetlands permits identified in Supplemental Item of Work J of the Agreement; amends Article III, to acknowledge that no rate adjustments have been proposed or approved and to eliminate the annual hourly rate increase provisions of the Agreement, adding Amended Exhibit B, Amended Fee Schedule; amends Article VIII to memorialize the change in the name and title of Consultant's Project Manager; amends Article XVI to update the contact information for one of County's notice recipients; and amends Article XXVI to update the contact information for County's Contract Administrator.

The El Dorado County Employees Association, Local 1, has been informed of this proposed Amendment and Executive Director, Jere Copeland, has stated "We don't have any issues on this contract."

The Purchasing Agent concurs that the Consultant has demonstrated its ability to perform the work based on prior experience with this Consultant, qualifications of the Consultant, and the availability of the Consultant to perform the services. The Purchasing Agent concurs that the Department's request is in compliance with Board of Supervisors Policy C-17, Sections 7.4.2, 7.5, and 7.10.

Action to be taken following Board approval:

1. The Board Chair will sign two (2) originals of First Amendment to Agreement for Services # AGMT 08-1838 with Michael Brandman Associates.
2. The Board Clerk will forward one original of the fully executed First Amendment to the Department for further processing.

Contact:

Robert S. Slater, P.E.

Assistant Director of Transportation

Concurrences: County Counsel and Risk Management