



## Legislation Details (With Text)

**File #:** 21-1925      **Version:** 1

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**File created:** 11/30/2021      **In control:** Board of Supervisors

**On agenda:** 1/4/2022      **Final action:** 1/4/2022

**Title:** Department of Transportation recommending the Board approve and authorize the Chair to sign the First Amendment to Agreement for Services 3480 with Crawford & Associates, Incorporated to provide on-call geological, geotechnical, hydraulic, and hydrologic engineering support services, extending the performance period an additional two (2) years to February 11, 2024, increasing the not-to-exceed by \$100,000 for a total not-to-exceed of \$400,000, and updating contract language per California Department of Transportation federal funding requirements.

**FUNDING:** Funding for various Capital Improvement Program and Environmental Improvement Program projects which will be provided by associated Federal, State, and Local funding sources. Local funding sources may include any combination of the following: Traffic Impact Fee Program, Missouri Flat Area Master Circulation and Financing Plan, Road Fund, Tribe Funds, Accumulative Capital Outlay, Developer Advanced Funds, Sacramento Municipal Utility District, and/or General Fund.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Counsel Approval Amend I, 2. B - 3480 Amendment I, 3. C - 3480 FE Agmt, 4. Executed 3480 Amendment I

Date	Ver.	Action By	Action	Result
1/4/2022	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board approve and authorize the Chair to sign the First Amendment to Agreement for Services 3480 with Crawford & Associates, Incorporated to provide on-call geological, geotechnical, hydraulic, and hydrologic engineering support services, extending the performance period an additional two (2) years to February 11, 2024, increasing the not-to-exceed by \$100,000 for a total not-to-exceed of \$400,000, and updating contract language per California Department of Transportation federal funding requirements.

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### DISCUSSION / BACKGROUND

The Board approved the Agreement for Services 3480 (Agreement) with Crawford & Associates, Incorporated (Crawford), on February 12, 2019 (Legistar 18-1945, Item 14). The agreement provides on-call geological, geotechnical, hydraulic, and hydrologic engineering support services for various Capital Improvement Program Projects.

The First Amendment (Amendment) extends the contract an additional two (2) years and increases the not-to-exceed by \$100,000 for a total not-to-exceed of \$400,000. Additionally, the Amendment modifies the Agreement to update contract language per California Department of Transportation (Caltrans) federal funding requirements. Caltrans Exhibit 10-R, A&E Boilerplate Agreement Language, was updated in September 2020, and Caltrans recommends that agreements be updated to the most current boilerplate when possible. This is due to current Code of Federal Regulations (CFR) financial reporting requirements, and these minor modifications do not significantly change the intent of the Agreement or County administrative processes. The following articles have been updated or added to match boilerplate language for the Amendment:

ARTICLE III, Progress Reports;  
ARTICLE VI, Termination  
ARTICLE VII, Cost Principles and Administrative Requirements  
ARTICLE VIII, Retention of Records/Audit  
ARTICLE IX, Audit Review Procedures;  
ARTICLE X, Subcontracting;  
ARTICLE XI, Equipment Purchase and Other Capital Expenditures;  
ARTICLE XII, State Prevailing Wage Rates;  
ARTICLE XIII, Conflict of Interest  
ARTICLE XVI, Non-Discrimination Clause and Statement of Compliance;  
ARTICLE XVII, Debarment and Suspension Certification;  
ARTICLE XXIV, Consultant to County;  
ARTICLE XXVI, Independent Contractor;  
ARTICLE XXXI, Insurance  
ARTICLE XXXVII, Compliance with Federal, State, and COUNTY Requirements;  
ARTICLE XLIV, Disadvantaged Business Enterprise (DBE) Considerations;  
ARTICLE XLV, Disadvantaged Business Enterprise (DBE) Participation;  
ARTICLE LIV, Environmental Compliance;  
ARTICLE LXI, Force Majeure;  
ARTICLE LXII, Waiver.

The disciplines required for the services to be performed include geotechnical, geological, hydraulic, and hydrologic engineering skills, as well as complete geotechnical engineering and consultation, including field investigation; geological reconnaissance and field mapping; soil testing, sampling, soil drilling and borings; slope stability analysis, scour analysis, and preparation of draft and final reports; roadway structural section design recommendations, including core sampling and resistance "R" value analysis; foundation analysis; geophysical investigation methods such as ground penetrating radar, refraction seismic and resistivity geophysical exploration; fugitive and asbestos dust monitoring/mitigation; groundwater investigations; specialized inspections for welding, concrete, asphalt and soils, soil sampling, stormwater sampling and testing; quality assurance testing of materials, along with complete reports and summaries of testing.

Some of the work to be performed under this Agreement is bargaining unit work; however, there are specialty skills required for much of the work which are not expressly identified in County classifications. The need for such skills is sporadic and temporary and not applicable for all Capital Improvement Program (CIP) projects and the on-going level of work is not sufficient to warrant hiring new employees. Maximum utilization of County personnel is held as a first priority.

Caltrans consultant contracting procedures allow for a maximum term of five years for an on-call

agreement. Prior to the expiration of this Amendment, Transportation will conduct a solicitation to identify the most cost effective manner in which to receive this service.

The El Dorado County Employees Association, Local #1, was informed of the proposed Amendment.

### **ALTERNATIVES**

The Board could choose not to approve the Amendment. Transportation would be required to terminate the Agreement and issue a Request for Proposals to issue a new agreement. This would add significant time and effort for staff to complete the Request for Proposal process.

### **PRIOR BOARD ACTION**

See Discussion / Background Section above.

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

County Counsel and Risk Management have reviewed and approved these Amendments.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

Funding for the Agreement will be provided by various CIP, Land Development, and Right of Way project funding sources, including federal, state, and local funds. Local funding sources may include any combination of the following: Traffic Impact Fee Program, Missouri Flat Area Master Circulation and Financing Plan, Road Fund, Tribe Funds, Accumulative Capital Outlay, Developer Advanced Funds, Sacramento Municipal Utility District, and/or General Fund. The proposed action results in no change to net County cost and no material changes to Article V - Allowable Costs and Payments of the agreement.

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

- 1) The Clerk of the Board will obtain the Chair's signature on two (2) originals of the First Amendment.
- 2) The Clerk of the Board will forward one (1) original of the Amendment to the County's Chief Administrative Office, Procurement and Contracts, for further processing.

### **STRATEGIC PLAN COMPONENT**

Infrastructure

### **CONTACT**

Rafael Martinez, Director  
Department of Transportation