



## Legislation Details (With Text)

**File #:** 22-1639      **Version:** 1

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

**File created:** 9/2/2022      **In control:** Board of Supervisors

**On agenda:** 9/20/2022      **Final action:** 9/20/2022

**Title:** Chief Administrative Office, Facilities Division, recommending the Board:  
1) Authorize the Purchasing Agent to execute Amendment I to Agreement for Services 5468 with Geocon Consultants, Inc. to increase compensation by \$72,000 for an amended not-to-exceed amount of \$144,000 to provide on-call environmental consulting and geotechnical services;  
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 5468 is not sufficient to warrant the addition of permanent staff in accordance with El Dorado County Ordinance Code, Chapter 3.13.030; and  
3) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement for Services 5468, excluding term extensions and increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

FUNDING: General Fund.

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. A - Blue Route Approval Amnd I No. 5468, 2. B - Amnd I 5468, 3. C -Agreement for Svcs 5468

Date	Ver.	Action By	Action	Result
9/20/2022	1	Board of Supervisors	Approved	Pass

Chief Administrative Office, Facilities Division, recommending the Board:  
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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 5468 is not sufficient to warrant the addition of permanent staff in accordance with El Dorado County Ordinance Code, Chapter 3.13.030; and  
3) Authorize the Purchasing Agent to execute any necessary amendments relating to Agreement for Services 5468, excluding term extensions and increases to the not-to-exceed amount, contingent upon approval by County Counsel and Risk Management.

**FUNDING:** General Fund.

### DISCUSSION / BACKGROUND

Geocon Consultants, Inc. was selected from a Request for Qualifications process and on April 29, 2021, the Purchasing Agent executed Agreement for Services 5468 to provide on-call environmental consulting and geotechnical services for a term of three years and a not to exceed amount of \$72,000.

On-call services have exceeded projections significantly (related to radon mitigation at the South Lake Tahoe Library). To date, approximately \$4,000 remains, and with the contract term through April 2024, additional compensation is needed so that services remain available. Amendment I would increase compensation by \$72,000 for a revised not-to-exceed amount of \$144,000. The Division does not anticipate utilizing the full \$72,000 but needs that flexibility should services be required.

Other changes to the agreement include an Article XVI Notice to Parties address update, ancillary updates to Article VII Standards of Work, Article IX Consultant to County, Article XII Independent Contractor, Article XV Default, Termination, and Cancellation, Article XVIII Indemnity, Article XIX Insurance, Article XXII Conflict of Interest, Article XXIII Nondiscrimination, Article XXVI Business License, and inclusion of Article XXXV Force Majeure, Article XXXVI Waiver, Article XXXVII California Residency and Article XXXVIII 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 the Division will have limited ability in addressing environmental concerns and geotechnical needs.

#### **PRIOR BOARD ACTION**

N/A

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

County Counsel

#### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

#### **FINANCIAL IMPACT**

Agreement for Services No 5468 has been budgeted for in the Division's current fiscal year operating budget and will be budgeted for in future years. There is no change in Net County Cost.

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

N/A

#### **STRATEGIC PLAN COMPONENT**

Infrastructure, Public Safety

#### **CONTACT**

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Facilities Division Manager