



## Legislation Details (With Text)

**File #:** 24-0016      **Version:** 1

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

**File created:** 12/13/2023      **In control:** Board of Supervisors

**On agenda:** 2/6/2024      **Final action:** 2/6/2024

**Title:** Department of Transportation recommending the Board approve and authorize the Chair to sign the Second Amendment to Agreement for Services 279-S1711, Fenix 546, with Burne Engineering Services, Inc. extending the performance period an additional two (2) years, increasing the compensation by \$25,000 for a new not-to-exceed amount of \$201,890.90, and updating contract language per California Department of Transportation federal funding requirements, all to provide design and support services during the construction of the Oak Hill at Squaw Hollow Creek - Bridge Replacement Project, Capital Improvement Program project 36105031.  
(District III)

**FUNDING:** Highway Bridge Program. (100% - Federal)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. A - Contract Routing Sheet.pdf, 2. B - Amendment II Contract 546.pdf, 3. C - AGMT 249-S1711.pdf, 4. Executed Amendment II Contract 546

Date	Ver.	Action By	Action	Result
2/6/2024	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board approve and authorize the Chair to sign the Second Amendment to Agreement for Services 279-S1711, Fenix 546, with Burne Engineering Services, Inc. extending the performance period an additional two (2) years, increasing the compensation by \$25,000 for a new not-to-exceed amount of \$201,890.90, and updating contract language per California Department of Transportation federal funding requirements, all to provide design and support services during the construction of the Oak Hill at Squaw Hollow Creek - Bridge Replacement Project, Capital Improvement Program project 36105031.  
(District III)

**FUNDING:** Highway Bridge Program. (100% - Federal)

### DISCUSSION / BACKGROUND

On February 14, 2017 (Legistar 16-1115, Item 16), the Board approved Agreement for Services 279-S1711 (Agreement), Fenix 546, with Burne Engineering Services, Inc. (Burne). The Agreement provides structural design and geotechnical support services for the Oak Hill at Squaw Hollow Creek - Bridge Replacement Project (Project), including bidding and award assistance and support during construction.

On January 25, 2022 (Legistar 21-1928, Item 16), the Board approved the First Amendment extending the contract two (2) years, and updating contract language regarding Notice to Parties and Working Office, and per California Department of Transportation (Caltrans) federal funding requirements.

The Second Amendment (Amendment) will extend the contract two (2) additional years to allow Burne to provide support during construction. Additionally, the Amendment increases the contract amount by \$25,000 for a new not-to-exceed amount of \$201,890.90. The design portion of the Project is complete, but the Department of Transportation wishes to extend the contract in order to provide as-needed support during construction. The Board awarded the construction contract to Doug Veerkamp General Engineering on July 25, 2023 (Legistar 23-1259, Item 17). Tree removal for the Project was performed in late 2023. Bridge and road construction will start in Spring 2024.

The following articles have been updated or added to match boilerplate language for the Amendment:

ARTICLE II, Compensation for Services;  
ARTICLE IV, Performance Period, Section A;  
ARTICLE V, Allowable Costs and Payments;  
ARTICLE VIII, Retention of Records/Audit;  
ARTICLE IX, Audit Review Procedures;  
ARTICLE XIII, Conflict of Interest;  
ARTICLE XVI, Non-Discrimination Clause and Statement of Compliance;  
ARTICLE XVII, Debarment and Suspension Certification;  
ARTICLE XLVII, Disadvantaged Business Enterprise Participation;  
ARTICLE LXV, Electronic Signatures;  
ARTICLE LXVI, Title IV Assurances;

The El Dorado County Employees Association, Local 1, has been informed of this proposed Amendment.

## **ALTERNATIVES**

The Board could choose not to approve the Amendment. This would increase the cost of the Project and cause a delay of the construction phase as a new design engineer would need time to familiarize themselves with the Project in order to provide support during construction.

## **PRIOR BOARD ACTION**

Legistar 16-1115, Item 16  
Legistar 21-1928, Item 16  
Legistar 23-0851, Item 56

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have reviewed and approved the Agreement.

## **CAO RECOMMENDATION**

Approve as recommended.

## **FINANCIAL IMPACT**

The Project is included in the 2023 CIP approved by the Board on June 6, 2023 (Legistar 23-0851, Item 56), with funding provided by the Highway Bridge Program. The Project's budget includes the services in this 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 Second

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