



# County of El Dorado

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## Legislation Text

**File #:** 12-0281, **Version:** 1

Department of Transportation recommending the Board authorize the Chair to sign the Second Amendment to Agreement for Services No. AGMT 09-52627 with Pattison & Associates, Inc., increasing the not-to-exceed amount by \$25,000 to a total of \$83,000 and extending the expiration date of the Agreement from April 20, 2012 to the later of April 20, 2013 or the completion of all issued Task Orders to continue to provide appraisal services for various Capital Improvement Program and Environmental Improvement Program projects.

**FUNDING:** 2004 General Plan Traffic Impact Mitigation Fee Program and various other Capital Improvement Program (CIP) and Environmental Improvement Program (EIP) funding sources that fund the Department's CIP and EIP projects.

BUDGET SUMMARY:		
Total Estimated Cost		\$25,000
Funding		
Budgeted	\$5,000	
New Funding	\$	
Savings	\$	
Other*	\$20,000	
Total Funding Available	\$25,000	
Change To Net County Cost		\$0

\*To be budgeted in Fiscal Year (FY) 2012/2013.

### Fiscal Impact/Change to Net County Cost:

The Department of Transportation (Department) budgeted \$5,000 in FY 2011/2012 and anticipates budgeting the remaining \$20,000 in FY 2012/2013 for this Amendment. Funding for the remaining work under this Amendment is being provided by the 2004 General Plan Traffic Impact Mitigation Fee Program and various other Capital Improvement Program (CIP) and Environmental Improvement Program (EIP) funding sources that fund the Department's CIP and EIP projects.

### Background:

On April 21, 2009 the Purchasing Agent approved Agreement for Services No. AGMT 09-52627 (Agreement) to provide on-call appraisal services for various CIP and EIP projects. On September 6, 2010 the Purchasing Agent approved the First Amendment to the Agreement to increase the not-to-exceed amount of the Agreement to \$58,000.

### Reason for Recommendation:

It is not necessary for the Board to make findings pursuant to Article II, Section 210 b (6) of the El Dorado County Charter where, by legislative authority or other mandate, the service must be

performed by independent contractors or where it is necessary to protect against conflicts of interest or ensure independent, unbiased findings.

The purpose of the Second Amendment is to update the Scope of Work to provide for a succinct narrative appraisal; extend the term of the Agreement; increase the not-to-exceed amount of the Agreement; include a new fee schedule for the extended term of the Agreement; clarify where to obtain prevailing wage rates; change the County's notices recipients; update the County's indemnified parties; and change the Contract Administrator.

Demands for appraisal services have increased and the Department anticipates the existing Agreement will be fully expended prior to the expiration of the Agreement; therefore, additional compensation and an extended term are needed to meet the continuing demand for appraisal services to support CIP and EIP projects.

The existing Agreement with Pattison & Associates, Inc. provides for appraisal services to assist the Department's Right of Way Unit with acquisition services for right of way activities on CIP and EIP projects. This work requires the use of independent, unbiased appraisers to protect against conflicts of interest. The skills required for most of the services provided under this Agreement are included in the job specifications for the County's Appraiser I/II and Senior Appraiser classifications. Although appraisal services are bargaining unit work, appraisals for right of way acquisitions must be performed by independent, impartial appraisers familiar with the unique federal and state regulations associated with real property acquisitions for public project purposes. In the event that an acquisition becomes the subject of an eminent domain proceeding, the testimony of the independent appraiser is essential to the successful outcome of the acquisition.

The original Agreement was for a three-year term. This Amendment will extend the expiration date of the Agreement from April 20, 2012 to April 20, 2013. Since the extended term of the Agreement, as amended, exceeds three years, the Department is requesting Board approval for this exception to the three-year term policy.

The Purchasing Agent reviewed and provided approval of the Department's request to process this Second Amendment to the Appraisal Services Agreement with Pattison & Associates, Inc. and concurs that the Department's request is in compliance with Board of Supervisors Policy C-17.

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

Action to be taken following Board approval:

1. The Clerk of the Board will obtain the Chair's signature on the two originals of the Second Amendment to Agreement for Services No. AGMT 09-52627.
2. The Clerk of the Board will forward one original of the fully executed Second Amendment to Agreement for Services No. AGMT 09-52627 to the Department for further processing.

Contact:

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Assistant Director of Transportation

Concurrences: County Counsel and Risk Management