



## Legislation Text

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**File #:** 20-0824, **Version:** 2

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Planning and Building Department, Planning Division, recommending the Board authorize the Purchasing Agent, or designee, to sign the First Amendment to Agreement for Services 947 with ICF Jones and Stokes, Inc., for the Update to the Ecological Fee Program and Environmental Impact Report, increasing the maximum obligation amount by \$115,978 for a total not-to-exceed amount of \$414,593; extending the term of the Agreement for Services 947 an additional three years for a new expiration date of July 17, 2023; updating the consultant's fee schedule; changing the Contract Administrator; and amending the scope of work to cover additional work needed, including exploration of a regional incidental take permit, in order to complete the update to the fee program.

**FUNDING:** Ecological Preserve (Rare Plant) Endowment Fund.

### **DISCUSSION / BACKGROUND**

On July 18, 2017, Item No. 19, the Board approved Agreement 511-S1711 (Fenix 947). with ICF Jones and Stokes, Inc. to generate an update for the Ecological Preserve Fee Program that would update the Rare Plant Mitigation In-Lieu Program established in 1998.

The proposed First Amendment will allow the Consultant to complete additional work that is required to develop the updated fee program. The proposed First Amendment includes additional funds in the amount of \$60,948 in Tasks 2-5 to address the increasing complexity of the Project, including the extended project timeline, beyond the three (3) years originally envisioned; new information and direction provided by the County during report preparation; and additional effort to respond to comments on multiple draft versions of reports.

The Amendment also adds Task 6 - Explore State Incidental Take Permit, and Task 7 - Project Contingency. Task 6 provides for the exploration of the potential to develop a regional incidental take permit to satisfy the California Endangered Species Act for the state-listed gabbro soils plants for all remaining development in El Dorado County. The cost to add Task 6 is \$25,030. Task 7 provides for future unanticipated time and material services or costs necessary to successfully complete the Project. The cost to add Task 7 is \$30,000.

In addition, the contract amendment will increase the Contractor's billing rates, which have not been updated since the beginning of the contract in July of 2017.

### **ALTERNATIVES**

Should the Board decide not to approve this First Amendment, existing staff would have to absorb the additional work needed to complete the Ecological Preserve Fee Program Update. Existing County Planning staff is currently fully tasked and does not possess the technical expertise to perform the Ecological Fee Program analysis nor the Environmental Impact Report.

### **PRIOR BOARD ACTION**

On July 18, 2017, Item No. 19, the Board approved Agreement 511-S1711 (Fenix 947) with ICF Jones and Stokes, Inc. to generate an update for the Ecological Preserve Fee Program that would

update the Rare Plant Mitigation In-Lieu Program established in 1998.

**OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have reviewed and approved the First Amendment.

**CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

**FINANCIAL IMPACT**

This amendment would increase costs to the Ecological Preserve Special Revenue Fund by \$115,978. Funding for this Program comes from applicant-paid development fees that are placed in the Ecological Preserve (Rare Plant) Endowment Fund, and are included in the Fiscal Year (FY) 2019-20 Budget for the Planning Division. Funding has also been included in the FY 2020-21 Recommended Budget, and will be included in budget requests for future Fiscal Years as necessary. No budget amendment is needed.

**CLERK OF THE BOARD FOLLOW UP ACTIONS**

N/A

**STRATEGIC PLAN COMPONENT**

Good Governance: Evaluate requests and recommendations based on complete assessment of the best available information, with the goal of reaching well informed decisions.

**CONTACT**

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