



## Legislation Text

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**File #:** 20-0948, **Version:** 1

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Department of Transportation recommending the Board:

- 1) In accordance with Chapter 3.13, Section 3.13.030 of County Ordinance Code, find that it is more economical and feasible to engage an independent contractor for development of an inter-agency agreement for the County's maintenance program; and
- 2) Approve and authorize the Chair to sign Agreement for Services 4976 with Sycamore Environmental Consultants, Inc. in the not-to-exceed amount of \$132,118.94, for a term to become effective upon execution by both parties and expiring three years thereafter, to develop a Routine Maintenance Agreement with the California Department of Fish and Wildlife.

**FUNDING:** Road Fund.

### **DISCUSSION / BACKGROUND**

In the course of performing annual maintenance work, the Department of Transportation (Transportation) regularly maintains its roadside ditches, culverts and connected waterways throughout County. Transportation is currently required to obtain a Streambed Alteration Agreement (SAA) from the California Department of Fish and Wildlife (CDFW) prior to conducting any maintenance activity that could substantially adversely affect fish and wildlife resources. This is a time-consuming process which often causes delays and hinders Transportation's ability to combine projects to reduce costs. To reduce the burden of producing an SAA for each maintenance project, Transportation is seeking to establish a Routine Maintenance Agreement (RMA) with CDFW for routine maintenance of County infrastructure within areas of CDFW jurisdiction.

In April 2020, Transportation completed a Request for Proposal (RFP) process with three of the County's contracted on-call environmental firms. Sycamore Environmental Consultants, Inc., (Sycamore) was the only firm to respond with a proposal. Sycamore has previously completed a similar task on behalf of the Placer County Flood Control District and Placer County Department of Public Works (DPW); successfully obtaining a long-term RMA with CDFW, and Transportation seeks to employ their services to produce a similar agreement for El Dorado County (County). Placer County DPW has provided Outside Review for this contract and affirms Sycamore's ability to perform the tasks necessary.

Transportation seeks to enter into Agreement for Services 4976 (Agreement) with Sycamore for a term of three years with a not-to-exceed amount of \$132,118.94. Under this Agreement, Sycamore will work with the CDFW to develop an RMA with conditions acceptable to both CDFW and the County. Transportation anticipates that much coordination with CDFW will be required to define both which maintenance activities may be considered routine for the purposes of the RMA and what mitigation measures, if any, may be required. The term of the RMA shall be determined in conjunction with CDFW during the development process.

As part of the RMA development process, Sycamore will categorize and describe anticipated routine maintenance activities and identify relevant constraints, limitations, and possible mitigation measures on various potential RMA work sites. Additionally, Sycamore will complete a California Environmental

Quality Act (CEQA) Initial Study and prepare a Notice of Intent to Adopt a Mitigated Negative Declaration for the RMA.

Upon implementation of the RMA, Transportation anticipates providing CDFW with an Annual Work Plan listing all sites to be worked on in a particular year as a substitute for submitting separate SAAs for each maintenance site. Sycamore will provide templates and training materials for the generation of any Verification Request Forms required by CDFW prior to maintenance work being performed by Transportation.

Transportation recommends the Board make findings in accordance with Section 3.13.030 of the El Dorado County Ordinance that it is more economical and feasible to engage an independent contractor for development of this inter-agency agreement. Most of the services provided under this Agreement, such as preparation of the focused technical studies, technical surveys and reviews (all documentation required by CEQA and NEPA), require specialty skills that are not expressly identified in County job classifications. Additionally, the work to be completed is with another governmental agency, and the ongoing aggregate of work to be performed under this Agreement is not sufficient to warrant the addition of permanent staff.

## **ALTERNATIVES**

The Board could decide to not approve this Agreement. In that event, the County would continue to submit requests to CDFW for maintenance on a case-by-case basis, which as stated previously, often causes delays and hinders Transportation's ability to combine projects to reduce costs.

## **PRIOR BOARD ACTION**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Procurement and Contracts

The Agreement has been approved by County Counsel and Risk Management.

## **CAO RECOMMENDATION**

Approve as recommended.

## **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. Total funding for the Agreement in the amount of \$132,118.94 will be from Road Fund and has been allocated by Transportation in the Maintenance and Operations Division's Fiscal Year 2020-21 budget. No additional funding is being requested.

## **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 Agreement.
- 2) The Clerk of the Board will forward one (1) fully executed original to Chief Administrative Office, Procurement and Contracts Division, attention Matt Potter, for further processing.

## **STRATEGIC PLAN COMPONENT**

Infrastructure

## **CONTACT**

Rafael Martinez, Director  
Department of Transportation