



## Legislation Text

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**File #:** 20-1509, **Version:** 1

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Department of Transportation recommending the Board approve and authorize the Chair to sign the Fourth Amendment to Agreement for Services 157-S1411 (Fenix 307) with Mark Thomas & Company, Inc. extending the term to December 31, 2022, amending the rate schedule, and allowing for the transfer of funds from subconsultants with no change in the not-to-exceed amount, to finalize the record of survey for the U. S. 50/Silva Valley Parkway Interchange - Phase 1 Project, CIP 71328.

**FUNDING:** Silva Valley Interchange Set-Aside (44%), 2004 General Plan Silva Valley Interchange Set-Aside (42%), Developer-Advanced Funds (10%), State and Local Partnership Program Grant (2%), Utility Agency - El Dorado Irrigation District (1%), and Road Fund (1%). (No federal funds).

### **DISCUSSION / BACKGROUND**

The Board approved Agreement for Services 157-S1411 (Agreement) with Mark Thomas & Company, Inc. (Consultant) to provide design support during construction, finalize project records, and complete the post-construction record of survey and monumentation for the U.S 50/Silva Valley Parkway Interchange Project (Project) on October 29, 2013 (Item 6) for a not-to-exceed amount of \$338,000. On April 19, 2016 (Item 16) the Board approved the first amendment to the Agreement, increasing the not-to-exceed amount of the contract by \$154,387 for a new not-to-exceed amount of \$492,387. On April 18, 2017 (Item 14), the Board approved the second amendment, extending the term to December 31, 2019. On December 17, 2019 (Item 34), the Board approved the third amendment, extending the term to December 31, 2020.

A major part of finalizing the record of survey involves closing out real estate agreements with Pacific Gas & Electric (PG&E). Due to the PG&E bankruptcy and numerous recent wildfire disasters, the agreements were not able to be signed and the process for closing out the agreements has changed. It is anticipated that closing out these agreements will take up to eighteen (18) months. This amendment will extend the contract to allow for the completion of this process. Additionally, the amendment will allow the Consultant to utilize unused funds originally budgeted for subconsultants and update the rate schedule for increased rates. The original contract was executed in October 2013, and the Consultant's rates have not been updated since that time. A comparison of the rate sheets can be found in Attachment G.

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

### **ALTERNATIVES**

The Board could choose to not approve this amendment. The existing Agreement would expire at the end of 2020, and the Department of Transportation would need to procure another consultant to complete the work. This would significantly increase both the cost of the remaining work and the time of completion.

### **PRIOR BOARD ACTION**

See Discussion/Background section above.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

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

## **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

## **FINANCIAL IMPACT**

There is no change to Net County Cost as a result of this amendment. The Project was included in the 2019 Capital Improvement Program (CIP) Book, approved by the Board on December 17, 2019 (Item 54). The Project was not included in the 2020 CIP Book as it was anticipated that the work under the Agreement would be complete. There are sufficient funds remaining in the Project budget to complete this work and savings within the fiscal year 20/21 CIP budget have been identified so there is no need for a budget increase.

## **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 amendment.
- 2) The Clerk of the Board will forward one (1) fully-executed original of the amendment to Chief Administrative Office, Contracts & Procurement Unit, for further processing.

## **STRATEGIC PLAN COMPONENT**

Infrastructure

## **CONTACT**

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