



## Legislation Text

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**File #:** 22-2098, **Version:** 1

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Department of Transportation recommending the Board approve and authorize the Chair to sign the First Amendment to Agreement 4402 with Nichols Consulting Engineers, updating contract language per Caltrans federal funding requirements, modifying the original rate schedule, increasing the not-to-exceed amount by \$180,000 for a new total of \$480,000, increasing the hourly rates, and extending the contract term two years for on-call environmental review services in the Tahoe Basin.

**FUNDING:** Various Capital Improvement Program and other funding sources that fund Department of Transportation projects (Federal, State, and Local Funds).

### **DISCUSSION / BACKGROUND**

On December 17, 2019 (Legistar 19-1721, Item 30), the Board approved Agreement 4402 with Nichols Consulting Engineers (NCE) to provide on-call environmental review services not to exceed \$300,000 for a three-year period beginning December 16, 2019.

Amendment I would extend the Agreement two additional years with a new expiration date of December 16, 2024, and increase compensation by \$180,000 for an amended not to exceed amount of \$480,000. Since the original contract is now three years old, NCE requested changes to their billing rates. After analysis of NCE's proposed rates, Transportation recommends the adoption of NCE's proposed rates, which are part of the proposed Amendment. Lastly, the Amendment updates contract language per California Department of Transportation (Caltrans) federal funding requirements. Transportation feels it is necessary to extend the Agreement to continue to provide environmental review support services to the Tahoe Basin. The following articles have been updated or added to match boilerplate language for the Amendment:

Article II: Compensation for Services

Article IV: Performance Period

Article V: Allowable Costs and Payments

Article XXVIII: Notice to Parties

Most of the services provided under this Agreement, such as preparation of the focused environmental technical studies and environmental surveys and reviews (all documentation required by the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA)), require specialty skills. These environmental specialty skills will be provided on an on-call basis in support of Capital Improvement Program projects in the Tahoe Basin. The ongoing aggregate of work that may be performed under this Agreement is not sufficient to warrant the addition of permanent staff.

### **ALTERNATIVES**

The Board could choose not to approve this amendment. The existing Agreement would expire on December 16, 2022, and the Department of Transportation would need to procure another on-call consultant to service the Tahoe Basin.

### **PRIOR BOARD ACTION**

See Discussion/Background section above.

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

Procurement and Contract Department. Risk Management and County Counsel have reviewed and approved the Amendment.

### **CAO RECOMMENDATION / COMMENTS**

Approve as recommended.

### **FINANCIAL IMPACT**

Funding for the Agreement will be provided by various Capital Improvement Program project funding sources, including federal, state, and local funds. The funds for this contract are budgeted and will be budgeted in future years. The services are used on an as-needed basis. The proposed action results in no change to net County cost.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on one (1) original of the Agreement.
- 2) The Clerk of the Board will forward one (1) fully-executed original of the Agreement to Chief Administrative Office, Contracts & Procurement Unit, for further processing.

### **STRATEGIC PLAN COMPONENT**

Infrastructure

### **CONTACT**

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