



# Monterey County

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## Board Report

Legistar File Number: A 17-435

November 14, 2017

**Introduced:** 11/2/2017

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Agreement

- a. Ratify and Approve Amendment No. 1 to Professional Services Agreement Resolution No. 17-236 with Harris & Associates, Inc. to: 1) ratify the effective term of June 13, 2017 to June 13, 2020; and 2) include Federal Emergency Management Agency Federal Provisions to continue to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing with no increase to the total not-to-exceed amount of \$418,428; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to Professional Services Agreement Resolution No. 17-236 and any future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Ratify and Approve Amendment No. 1 to Professional Services Agreement Resolution No. 17-236 with Harris & Associates, Inc. to: 1) ratify the effective term of June 13, 2017 to June 13, 2020; and 2) include Federal Emergency Management Agency Federal Provisions to continue to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing with no increase to the total not-to-exceed amount of \$418,428; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to Professional Services Agreement Resolution No. 17-236 and any future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

### SUMMARY/DISCUSSION:

During the January and February 2017 Winter Storm Events and prior to the approval of the Professional Services Agreement (PSA) with Harris & Associates, Inc. (Harris), the Palo Colorado Road sustained major damage including a debris flow that washed-out the road at Rocky Creek Crossing, making the roadway impassable. Temporary emergency repairs were completed to ensure public safety and the roadway was opened to allow passage for residents and access to the Pico Blanco Boy Scouts Camp. It was determined that these temporary repairs might not withstand the 2017 and 2018 Winter Storm Season which could cause catastrophic damage to the roadway and further jeopardize public safety. In discussing this exigent need for a permanent road repair solution with the Federal Emergency Management Agency (FEMA), FEMA verbally approved the selection of

a Contractor to perform these identified services using a three (3) bid selection process by soliciting bids from Contractors previously selected through Request for Proposals (RFP) #1601, On-Call Civil Engineering Services for Transportation Projects. FEMA agreed that this streamlined selection process was required in-order to allow for a solution to this exigent need for a permanent road repair solution to ensure Public safety prior to the 2017 - 2018 Winter Storm Season. Harris was selected using this FEMA directed process.

On July 11, 2017, the County of Monterey (County) Board of Supervisors (BOS) approved PSA Resolution No. 17-236 with Harris to provide professional engineering services for Phase 2 of the Palo Colorado Road Emergency Repair at Rocky Creek Crossing with a term of July 11, 2017 to July 10, 2020. Due to an inadvertent clerical error, the term listed in the July 11, 2017 BOS Agenda, the Board Report and the corresponding Board Resolution No. 17-236, did not reflect the intended term in the PSA which is June 13, 2017 to June 13, 2020. In the exercise of caution, Amendment No. 1 is being presented to the BOS to correct Resolution No. 17-236 to ratify the retroactive PSA term of June 13, 2017 to June 13, 2020 and include Exhibit D, FEMA Federal Provisions, in the PSA with no associated dollar amount increase to allow payment to Harris for any services rendered during the retroactive term of the PSA.

The design of the project is complete. The remaining scope in Harris' contract is to complete the permitting process of the project; and to provide engineering support when the project is in construction phase. Currently, Harris has approximately \$430,000 remaining in their contract.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller's Office have reviewed and approved Amendment No. 1 as to form and legality, and fiscal provisions, respectively.

FINANCING:

There is no increase in project costs associated with Amendment No. 1 to the PSA with Harris. Amendment is to ratify the effective term date of the Professional Service Agreement. Project cost for engineering and environmental is \$718,142 (\$299,714 for Phase 1 and \$418,428 for Phase 2). The total not to exceed amount of the Harris PSA for Phase 2 of the Project is \$418,428. Sufficient appropriations are available in the FY 2017-18 adopted budget for Road Fund 002, Appropriation Unit RMA012 to fund the engineering phase of the project.

The total estimated Project cost, including engineering, environmental, and construction, is \$5,561,951 (\$718,142 for engineering and environmental [\$299,714 for Phase 1, \$418,428 for Phase 2] and \$4,843,809 for construction). Funding for Phase 1, which occurred in FY 2016-17, was financed by an operating transfer in from the CAO for the winter storms. Then on July 11, 2017, the BOS approved \$1,615,460 for this project, which funds the \$418,428 for Phase 2 and \$1,197,032 of the constructions cost. Staff are analyzing several viable financing options to fund the remaining construction cost of \$3,646,777. Once a financing option is determined, staff will return to the BOS to report and request the remaining appropriations for construction.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The PSA, as amended, with Harris continues to recognize the exigent need for professional engineering services to construct a permanent solution for the Rocky Creek Crossing on Palo Colorado Road prior to the 2017 - 2018 Winter Storm Season. The Project is needed to provide permanent access for residents and access to the Pico Blanco Boy Scouts Camp. The recommended action supports the BOS' Strategic Initiatives as indicated below:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

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Approved by: Donald D. Searle, Deputy Director of Public Works and Facilities  
Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the Clerk of the Board:

- Attachment A - Amendment No. 1 to PSA
- Attachment B - PSA
- Attachment C - Project Budget
- Attachment D - Location Map