



Legislation Details (With Board Report)

File #: A 23-287 **Name:** Amendment 2 to SA ATI Restoration thru 12/31/23
Type: BoS Agreement **Status:** Passed
File created: 6/12/2023 **In control:** Board of Supervisors
On agenda: 6/27/2023 **Final action:** 6/27/2023

Title: a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Standard Agreement with ATI Restoration, LLC for emergency remediation services at 29 Bishop St. and Kents Court in Pajaro related to the 2023 Pineapple Express storm events, to increase the not to exceed amount by \$1,831,003.02 for a total not to exceed amount of \$2,906,003.02 and to extend the term of the Agreement by approximately 6 months through December 31, 2023.
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute 1 additional amendment to this Agreement, extending the term by up to 1 year, where the additional cost of the Amendment does not exceed 10% (\$107,500) of the original work proposal amount of \$1,075,000, bringing the maximum potential overall Agreement aggregate Not to Exceed amount to \$3,013,503.02 even if no additional Agreements are entered into.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - A2 to SA with ATI executed, 3. Attachment B - Amendment 1 to SA with ATI, 4. Attachment C - Standard Agreement with ATI, 5. Completed Board Order Item No. 104

Date	Ver.	Action By	Action	Result
6/27/2023	1	Board of Supervisors		

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b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute 1 additional amendment to this Agreement, extending the term by up to 1 year, where the additional cost of the Amendment does not exceed 10% (\$107,500) of the original work proposal amount of \$1,075,000, bringing the maximum potential overall Agreement aggregate Not to Exceed amount to \$3,013,503.02 even if no additional Agreements are entered into.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

a. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 2 to the Standard Agreement with ATI Restoration, LLC for emergency remediation services at 29 Bishop St. and Kents Court in Pajaro related to the 2023 Pineapple Express storm events, to increase the not to exceed amount by \$1,831,003.02 for a total not to exceed amount of \$2,906,003.02 and to extend the term of the Agreement by approximately 6 months through December 31, 2023.
b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute 1 additional amendment to this Agreement, extending the term by up to 1 year, where the additional cost of the Amendment does not exceed 10% (\$107,500) of the original work proposal amount of \$1,075,000, bringing the maximum potential overall Agreement aggregate Not to Exceed amount to \$3,013,503.02 even if no additional

Agreements are entered into.

SUMMARY/DISCUSSION:

In March 2023, severe atmospheric river events led to flooding in the community of Pajaro, County of Monterey (County). County facilities located in Pajaro at 29 Bishop Street (Monterey County Library); 29A Bishop Street (Clinica de Salud Leased space); 29B Bishop Street (Monterey County Agricultural Commissioner’s Office) and 71 Railroad Way Kents Court (19 residential mobile home units), were impacted during these events. Significant damage from floodwaters, mud and silt requires remediation to remove contamination and allow cleanup, repair and restoration work to begin. Public Works, Facilities and Parks (PWFP) staff in collaboration with the County’s insurance carrier have contracted with ATI Restoration, LLC (ATI) to complete the initial emergency disaster recovery work. The initial estimated cost for this work was \$1,075,000. The extent of damage could not be fully assessed until work began and condition assessments by environmental consultants could be completed. Based on the recommendations of the County’s third-party consultants S-Tech Consulting and Millennium Consulting Associates, ATI developed an updated scope to address remediation requirements. A significant amount of additional topsoil had to be removed due to potential contamination from flood waters. Structures also required additional drying and decontamination efforts.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and the Auditor-Controller's Office have reviewed the proposed Amendment No. 2 to the Standard Agreement with ATI Restoration, LLC as to form and fiscal provisions, respectively.

FINANCING:

The County is required to pay for disaster recovery work up front. Insurance payout will then reimburse the County. The County is required to pay a \$25,000 deductible. Staff will be submitting a request for reimbursement of the deductible to the State of California Office of Emergency Services and the Federal Emergency Management Agency. Upfront funding for the initial work under this agreement was provided through Unscheduled Maintenance in Fund 001, Facilities Unit 8552, up to \$200,000. The balance of required funds is covered by action taken by the Board on May 23, 2023 to appropriate funds for the Pajaro disaster from Strategic Reserves.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This agreement addresses potential environmental and structural hazardous and structural conditions created as a result of the recent flooding in Pajaro. Remediation work will allow restoration services to continue and return County services to the community and residents to their homes.

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

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Reviewed by: Lindsay Lerable, Chief of Facilities

Tom Bonigut, PE, Assistant Director of Public Works, Facilities and Parks

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

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

Attachment A -Amendment #2 to SA with ATI

Attachment B - Amendment #1 to SA with ATI

Attachment C - Standard Agreement with ATI