



Legislation Details (With Board Report)

File #: A 16-079 **Name:** CRFREE RA & PSA
Type: BoS Agreement **Status:** Passed
File created: 3/25/2016 **In control:** Board of Supervisors
On agenda: 4/12/2016 **Final action:** 4/12/2016

Title: a. Approve a Professional Services Agreement with Whitson and Associates, Inc. dba Whitson Engineers for a total amount not to exceed \$1,113,987 to provide Final Design of the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project, in Carmel, for a term of April 13, 2016 to December 31, 2017; and
b. Approve a Reimbursement Agreement with The Big Sur Land Trust, a California nonprofit public benefit corporation, for a total amount not to exceed \$580,000 to allow reimbursement to Monterey County for costs incurred by Whitson and Associates, Inc. dba Whitson Engineers, to provide Final Design of the CRFREE Project, in Carmel, for a term effective upon latest date of signature until full reimbursement; and
c. Authorize the Resource Management Agency Director to execute the Professional Services Agreement, Reimbursement Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - PSA with Whitson and Associates, Inc. dba Whitson Engineers, 3. Attachment B - RA with Big Sur Land Trust, 4. Completed Board Order, 5. Fully Executed Agreement between the County of Monterey and Whitson & Associates, Inc. DBA Whitson Eng, 6. Fully Executed Agreement between the County of Monterey and The Big Sur Land Trust, 7. Fully Executed Agreement between the County of Monterey and Whitson & Associates, Inc. DBA Whitson Engineers

Date	Ver.	Action By	Action	Result
4/12/2016	1	Board of Supervisors	approved	

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c. Authorize the Resource Management Agency Director to execute the Professional Services Agreement, Reimbursement Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve a Professional Services Agreement with Whitson and Associates, Inc. dba Whitson Engineers for a total amount not to exceed \$1,113,987 to provide Final Design of the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project, in Carmel, for a term of April 13, 2016 to December 31, 2017; and
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c. Authorize the Resource Management Agency Director to execute the Professional Services Agreement, Reimbursement Agreement and future amendments to the Agreements where the amendments do not significantly alter the scope of work or change the approved Agreement amounts.

SUMMARY/DISCUSSION:

A Professional Services Agreement (PSA) between Whitson and Associates, Inc. dba Whitson Engineers (Whitson) and the County will provide for Final Design services to be completed for the Carmel River Floodplain Restoration and Environmental Enhancement (CRFREE) Project. The CRFREE Project will improve flood control, restore native riparian and floodplain habitat, and hydrologic function to a portion of the lower floodplain along the Carmel River. Big Sur Land Trust (BSLT) is an implementing partner and co-sponsor with the County on the CRFREE Project. Pursuant to this relationship, BSLT and the County have agreed to coordinate all planning, development, permitting, and construction activities for the CRFREE Project. Funding for a portion of the design activities for the CRFREE Project is being provided through a Wildlife Conservation Board (WCB) Grant held by the BSLT. This WCB Grant is non-transferrable. The County and BSLT will enter into a Reimbursement Agreement (RA) to allow BSLT to reimburse the County for services provided by Whitson for the CRFREE Project.

The PSA with Whitson, and related RA with BSLT, will allow for completion of the Final Design of the CRFREE Project. The total PSA not to exceed amount with Whitson is \$1,113,987 for a term of April 13, 2016 to December 31, 2017. The total RA not to exceed amount with BSLT is \$580,000 for a term effective upon latest date of signature until full reimbursement.

OTHER AGENCY INVOLVEMENT:

The following offices have reviewed the Agreements as to form and legality, and fiscal provisions, respectively:
Office of the County Counsel
Auditor-Controller's Office

FINANCING:

Pursuant to the terms of the Reimbursement Agreement (RA), a portion of CRFREE project design expenses to be incurred through the Whitson Contract, not to exceed \$580,000, will be reimbursed by the BSLT to the County. Pursuant to the Cooperative Agreement between Caltrans and the County, executed on May 6, 2014, the County must be the lead for the highway improvement component of this project, thus the County is entering into contract with Whitson. Whitson will submit invoices to the County for payment, which will result in a temporary impact to General Fund. For the portion of the Whitson contract covered by the RA, the County in turn will submit approved invoices to BSLT, who will reimburse the County within 10 working days. Remaining costs associated with the completion of services provided by Whitson in an amount not to exceed \$472,163 shall be funded by an existing Department of Water Resources Grant (SAP Contract No. 4600010665) approved by the BOS on July 9, 2013. On a quarterly basis the County submits invoices to DWR for reimbursement under this grant agreement. It can take approximately 6-12 weeks to receive payment from DWR resulting in a temporary impact to General Fund. The remaining \$61,824 shall be funded from County Service Area (CSA) 50 or other grant funding sources identified and obtained by the County. In a separate action, staff will be going to the Budget Committee to increase appropriations and offsetting revenues accordingly. There is no anticipated impact long-term to the General Fund as a result of these actions.

Prepared by: Melanie Beretti, RMA Special Programs Manager, Ext. 5285;
With input from Brandon Swanson, Management Analyst III, Ext. 5334

Approved by: Carl P. Holm, AICP, Director, RMA

Attachments: Attachment A - PSA with Whitson and Associates, Inc. dba Whitson Engineers
Attachment B - RA with Big Sur Land Trust