



Legislation Details (With Board Report)

File #: A 23-097 **Name:** Amendment 4 to SA w/Don Chapin Company
Type: BoS Agreement **Status:** Passed
File created: 3/31/2023 **In control:** Board of Supervisors
On agenda: 4/18/2023 **Final action:** 4/18/2023

Title: a. Ratify and approve Amendment No. 4 to Standard Agreement No. A-15607 with Granite Construction Company to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to: increase the not to exceed amount by \$2,500,000 for a total amount not to exceed \$3,100,000 and include Federal Emergency Management Agency (FEMA) Provisions retroactive to December 27, 2022 with no extension to the term from January 1, 2021 to December 31, 2023; and
b. Ratify and approve Amendment No. 4 to Standard Agreement No. A-15608 with The Don Chapin Company, Inc. to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to: increase the not to exceed amount by \$2,500,000 for a total amount not to exceed \$3,100,000 and include Federal Emergency Management Agency (FEMA) Provisions retroactive to December 27, 2022 with no extension to the term from January 1, 2021 to December 31, 2023; and
c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to each Agreement and future amendments to each Agreement where the amendments do not significantly alter the scope of work as determined by the Director of Public Works Facilities and Parks or designee or increase the approved amount of each Agreement and subject to approval as to form by the Office of the County Counsel.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A – A4 to SA w/Granite Construction, 3. Attachment B – A4 to SA w/ Don Chapin Company, 4. Attachment C – A3 to SA w/Granite Construction, 5. Attachment D – A2 to SA w/Granite Construction, 6. Attachment E - A1 to SA w/Granite Construction, 7. Attachment F - SA w/Granite Construction, 8. Attachment G – A3 to SA w/Don Chapin Company, 9. Attachment H – A2 to SA w/Don Chapin Company, 10. Attachment I - A1 to SA w/Don Chapin Company, 11. Attachment J - SA w/Don Chapin Company, 12. Attachment K - Summary of SAs, 13. Attachment L - Summary of SAs Annual Expenditures, 14. Completed Board Order Item No. 48, 15. Fully Executed Agreement - Granite Construction, 16. Fully Executed Agreement - Don Chapin Company 4A, 17. Fully Executed Agreement - Granite Construction Company, 18. Fully Executed Agreement - Don Chapin Company 5A

Date	Ver.	Action By	Action	Result
4/18/2023	1	Board of Supervisors		

a. Ratify and approve Amendment No. 4 to Standard Agreement No. A-15607 with Granite Construction Company to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to: increase the not to exceed amount by \$2,500,000 for a total amount not to exceed \$3,100,000 and include Federal Emergency Management Agency (FEMA) Provisions retroactive to December 27, 2022 with no extension to the term from January 1, 2021 to December 31, 2023; and
b. Ratify and approve Amendment No. 4 to Standard Agreement No. A-15608 with The Don Chapin Company, Inc. to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to: increase the not to exceed amount by \$2,500,000 for a total amount not to exceed \$3,100,000 and include Federal Emergency Management Agency (FEMA) Provisions retroactive to December 27, 2022 with

no extension to the term from January 1, 2021 to December 31, 2023; and

c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to each Agreement and future amendments to each Agreement where the amendments do not significantly alter the scope of work as determined by the Director of Public Works Facilities and Parks or designee or increase the approved amount of each Agreement and subject to approval as to form by the Office of the County Counsel.

RECOMMENDATION:

a. Ratify and approve Amendment No. 4 to Standard Agreement No. A-15607 with Granite Construction Company to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to increase the not to exceed amount by \$2,500,000 for a total amount not to exceed \$3,100,000 and include Federal Emergency Management Agency Provisions retroactive to December 27, 2022 with no extension to the term from January 1, 2021 to December 31, 2023; and

b. Ratify and approve Amendment No. 4 to Standard Agreement No. A-15608 with The Don Chapin Company, Inc. to continue to provide fully operated, fueled and maintained construction equipment to work sites on an on-call basis to increase the not to exceed amount of \$600,000 by \$2,500,000 for a total amount not to exceed \$3,100,000 and include Federal Emergency Management Agency Provisions retroactive to December 27, 2022 with no extension to the term from January 1, 2021 to December 31, 2023; and

c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to each Agreement and future amendments to each Agreement where the amendments do not significantly alter the scope of work as determined by the Director of Public Works Facilities and Parks or designee or increase the approved amount of each Agreement and subject to approval as to form by the Office of the County Counsel.

SUMMARY/DISCUSSION:

A significant portion of County owned Road and Bridge Maintenance equipment is obsolete relative to mandated regulations (e.g., air emissions), aging and unreliable. Equipment is being replaced through a fleet asset management plan, which will span the course of years. Moreover, there is specialized equipment that must be deployed, dependent on the nature of the assignment. To provide responsive, efficient, and high-quality public service, the Department of Public Works, Facilities and Parks (PWFP) needs to supplement its workforce and equipment with local contractors on an “as-needed basis”. The proposed Amendment No. 4 to each Standard Agreement (SA) (Attachments A and B) will supplement staff positions and will not reduce existing staff work or positions.

A Proclamation of Local Emergency was issued by the County Administrative Officer on January 4, 2023, in response to the Winter Storm and Atmospheric River Event that began December 26, 2022 and caused damage to public infrastructure and private property throughout Monterey County. The County has endured multiple significant rainfall, wind and atmospheric river events since this proclamation, resulting in further damage throughout the County, including but not limited to the areas of San Ardo, Big Sur, Carmel River, Carmel River Lagoon, Salinas River, Salinas River Lagoon and Pajaro. Storm conditions created erosion, slip-outs, obstruction of roadways from stormwater and debris flows, culvert failure and the Pajaro River levee breach. The storms resulted in flooding and evacuations in Pajaro and along the Salinas River. In immediate response to these emergent storm conditions, PWFP relied on these on-call SAs for repairs, debris removal, and to monitor and mitigate flood conditions to enhance public safety and protect life and property as affected by these unforeseen, anomalous, weather driven demands.

As PWFP responded to these episodic emergency situations, the need for these on-call services expanded beyond the planned use of the SAs in place, generating expenses of approximately \$1.5 million for the services provided by Granite Construction Company and approximately \$579,000 for the services provided by The Don Chapin Company, Inc., exceeding the authorized total amount not to exceed \$600,000 for each SA. Additional

storms are predicted and PWFP has a continued need for Granite Construction Company and The Don Chapin Company, Inc. to provide fully operated, fueled and maintained construction equipment to respond to future storm conditions and assist with reparations from previous storms. Amendment No. 4 to each SA will increase the not to exceed amount of \$600,000 by \$2,500,000 for a total amount not to exceed \$3,100,000 for each SA and include Federal Emergency Management Agency (FEMA) Provisions retroactive to December 27, 2022 with no extension to the term from January 1, 2021 to December 31, 2023 to each respective SA.

Attachments C through J, provided for reference, include SA No. A-15607 and Amendments No. 1 through 3, and SA No. A-15608 and Amendments No. 1 through 3. Attachment K provides a summary of the SAs and Attachment L provides a summary of the annual expenditures and balance to date for each SA.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller's Office have reviewed and approved Amendment No. 4 to each SA as to form, and fiscal provisions, respectively.

FINANCING:

Sufficient appropriations are available in the FY 2022-23 Adopted Budget for Road and Bridge Maintenance, Road Fund 002, Appropriation Unit PFP004 to fund Amendment No. 4 to each SA.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action supports the Board of Supervisors' Strategic Initiatives for Infrastructure and Public Safety. These services will allow PWFP to provide efficient, responsive service to County roadways and residents to enhance public safety and supplement County infrastructure.

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

Prepared by: Shawn Atkins, Maintenance Manager, (831) 755-4929
Janie Bettencourt, Management Analyst II

Reviewed by: Enrique Saavedra, PE, Chief of Public Works

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 No. 4 to SA with Granite Construction Company
- Attachment B - Amendment No. 4 to SA with The Don Chapin Company, Inc.
- Attachment C - Amendment No. 3 to SA with Granite Construction Company
- Attachment D - Amendment No. 2 to SA with Granite Construction Company
- Attachment E - Amendment No. 1 to SA with Granite Construction Company
- Attachment F - SA with Granite Construction Company
- Attachment G - Amendment No. 3 to SA with The Don Chapin Company, Inc.
- Attachment H - Amendment No. 2 to SA with The Don Chapin Company, Inc.
- Attachment I - Amendment No. 1 to SA with The Don Chapin Company, Inc.
- Attachment J - SA with The Don Chapin Company, Inc.
- Attachment K - Summary of SAs
- Attachment L - Summary of SAs Annual Expenditures and Balance