



Contra
Costa
County

To: Board of Supervisors
From: Julia R. Bueren, Public Works
Date: January 8, 2013

Subject: APPROVE Contract Amendment #2 with Area West Environmental, Camino Tassajara Shoulder Widening, Danville area. (District III)

RECOMMENDATION(S):

APPROVE and AUTHORIZE the Public Works Director, or designee, to execute Contract Amendment No. 2 with Area West Environmental Inc. effective January 8, 2013, to revise sections of the Special Conditions of the contract, and increase the Payment Limit by \$8,608 to a new Payment Limit of \$129,760 for additional necessary work associated with the technical studies for the Camino Tassajara Shoulder Widening, east of Blackhawk Drive to Finley Road project, Danville area. (District III) Project No. 0662-6R4131

FISCAL IMPACT:

This project is funded 54% Local Traffic Impact Fee Funds and 46% Highway Safety Improvement Program Funds.

BACKGROUND:

Effective September 15, 2011, the Public Works Department (Dept.) entered into a standard contract with Area West Environmental Inc. and on February 7, 2012, executed Contract Amendment No. 1 to increase the Payment Limit not to exceed \$121,152.00 for environmental professional services for the Camino Tassajara Shoulder Widening,

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY
ADMINISTRATOR

☐ RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **01/08/2013** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II
Supervisor
Mary N. Piepho, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: January 8, 2013

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Ave Brown, PWD
Environmental, 925-313-2311

By: STACEY M. BOYD, Deputy

Blackhawk Drive to Finley Road Project.

The contract needs to be amended due to unforeseen extra work in support of additional agency requirements and changes to the Special Conditions regarding Payment Provisions.

A. Pursuant to the contract's Service Plan, Section III-D-Task 9, Contractor will conduct extra work at an additional cost, as follows:

1. Additional Burrowing Owl protocol surveys, per California Department of Fish and Game;
2. Changes to the Biological Assessment according to the U.S. Fish and Wildlife Services comments; and,
3. Preparation of a separate stand-alone wetland delineation to expedite U.S. Army Corps of Engineers.

B. Items 30 and 32 of the Special Conditions of the Contract are amended, as follows:

1. Item 30. Payment Method: Allows two methods of payment for contract work, as described in the amendment:

-

BACKGROUND: (CONT'D)

Actual Cost-Plus-Fixed Fee for Contract Tasks 1 through 6 and 8 through 14-Environmental Assessment / Study work.

- Specific Rate of Compensation for Contract Task 7-Construction Monitoring.

2. Item 32. Payment Retention: Allows the release of withheld funds in installments upon completion of required Contract task work, as described in the amendment.

All other terms and conditions in the Contract entered into on September 15, 2011, and Amendment No. 1 entered into on February 7, 2012 between the Dept. and the Contractor shall remain in full force and effect.

CONSEQUENCE OF NEGATIVE ACTION:

Without Board approval, environmental assessments will not be completed in a timely manner, therefore the necessary environmental clearances will not be obtained; which may delay the construction of the project; and may jeopardize funding.

CHILDREN'S IMPACT STATEMENT:

Not applicable.

ATTACHMENTS

Amendment 2 pkt

Amendment 1 Pkt

Original Contract