



**Contra  
Costa  
County**

To: Contra Costa County Flood Control District Board of Supervisors

From: Brian M. Balbas, Public Works Director/Chief Engineer

Date: March 19, 2019

Subject: On-Call Contract with Moffatt and Nichol, Countywide. Project No.: Various

**RECOMMENDATION(S):**

APPROVE and AUTHORIZE the Chief Engineer, Contra Costa County Flood Control and Water Conservation District (FC District), or designee, to execute an on-call Consulting Services Agreement (Contract) with Moffatt and Nichol (Consultant), subject to approval by the County Administrator and approval as to form by the Office of County Counsel, in an amount not to exceed \$400,000 to provide on-call professional engineering services relating to facility conditions assessment, for the period March 19, 2019 through March 19, 2022, Countywide.

**FISCAL IMPACT:**

All costs associated with this Contract will not exceed \$400,000 and will be funded 100% by FC District Funds.

**BACKGROUND:**

The FC District provides regional flood protection, technical information, hydrology data and education to cities and residents, and environmental stewardship for over 70 miles of streams and several detention basins as part of the County's flood protection system. The FC District is initiating a facility conditions assessment program for its flood control

☒ APPROVE

☐ OTHER

☒ RECOMMENDATION OF CNTY ADMINISTRATOR

☐ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **03/19/2019** ☒ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

**VOTE OF SUPERVISORS**

AYE: John Gioia, District I Supervisor  
Candace Andersen, District II Supervisor  
Federal D. Glover, District V Supervisor

ABSENT: Diane Burgis, District III Supervisor  
Karen Mitchoff, District IV 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: March 19, 2019

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

By: Stacey M. Boyd, Deputy

Contact: Michelle Cordis, (925)  
313-2381

facilities,

### BACKGROUND: (CONT'D)

which includes, among other facilities, concrete channels, earthen channels, steel structures, drop structures, levees, detention basins, and other hydraulic structures (each referred to as “Facility”). The FC District, at times, requires additional temporary services from persons specially trained, experienced, expert, and competent to perform professional engineering and technical services required for Facility conditions assessment. For that reason, the FC District is entering into this Contract with Consultant. Under this Contract, Consultant will provide professional engineering and technical services relating to Facility conditions assessment on an on-call basis for a variety of FC District projects throughout Contra Costa County.

The Contract limits the Consultant’s liability for damages arising out of its errors or omissions in providing professional services under the Contract to \$5,000,000, the amount stated in the Consultant’s professional liability insurance policy provided. This is for professional liability and does not limit the Consultant’s responsibility with regard to general liability claims.

### CONSEQUENCE OF NEGATIVE ACTION:

Without the approval of the Board of Supervisors, the FC District will be unable to obtain on-call services for professional engineering and technical services relating to facility conditions assessment.