



MARIPOSA COUNTY

Public Works • (209) 966-5356



RESOLUTION - ACTION REQUESTED 2016-413

MEETING: August 2, 2016

TO: The Board of Supervisors

FROM: Tony Stobbe, Public Works Director

RE: Approve a First Amendment for West Whitlock Road Construction Services

RECOMMENDATION AND JUSTIFICATION:

Approve a First Amendment to Task Order 16-05 Under the On-Call Engineering Services Agreement with Willdan Engineering Revising the Scope of Work to Include Labor Compliance Management Services for the West Whitlock Reconstruction Project and Increasing the Compensation Amount by \$17,685, Bringing the Total Compensation Under This Task Order to a Not to Exceed Amount of \$107,813; and Authorize the Board of Supervisors Chair to Sign the First Amendment.

The County is subject to a potential audit of grant expenditures for the West Whitlock Reconstruction Project and one area that is reviewed is federal labor compliance. This task order amendment will provide the County with labor compliance management services in accordance with federal and State grant regulations.

Labor compliance management services are a specialized skill set which the County does not currently have. These services are eligible for project funding and there is sufficient funding to support this expense.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On April 26, 2016, the Board approved a three year agreement with Willdan Engineering for Construction Inspection/Project Management and Specific Engineering Services as Detailed in the Scope of Work for Various Public Works Projects (RES 16-200).

On June 14, 2016, the Board approved a Task Order 16-05 with Willdan Engineering to provide Construction Inspection Services in the West Whitlock Road project (RES 2016-286).

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

The Board could choose to not approve this amendment and provide alternative direction to the Public Works Department in regards to the accomplishment of

Federal Labor Compliance. Not having this expertise might present difficulties under a project audit and effect the reimbursement of funds.

FINANCIAL IMPACT:

Sufficient funding for the proposed action is available in the project budget.

ATTACHMENTS:

Willdan 1st amd TO 16-05 (PDF)

Willdan Task Order 16-05 W. Whitlock (DOCX)

Willdan Eng. C#16-017 (PDF)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 7/26/2016

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Kevin Cann, District IV Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

FIRST AMENDMENT TO TASK ORDER 16-05

THIS FIRST AMENDMENT TO TASK ORDER 16-05 is made and entered into this 17th day of July 2016, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as "**County**" and Willdan Engineering, hereinafter referred to as "**Consultant**".

WHEREAS, County and Consultant have heretofore entered into a Professional Services Agreement dated April 26, 2016, wherein **Consultant** agreed to perform construction inspection/project management and project specific on-call engineering services as described on Exhibit "A" attached thereto (the "Master Agreement"); and

WHEREAS, pursuant to the authority of the Master Agreement, **County and Contractor** have heretofore entered into Task Order 16-05 dated May 26, 2016, wherein contractor agreed to furnish a licensed civil engineer to perform construction management and construction inspection services for the West Whitlock Road Rehabilitation Project as described in Exhibit "A" attached thereto for the not-to-exceed amount of \$90,128.00; and

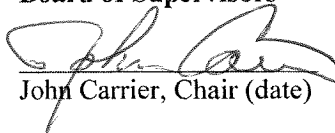
WHEREAS, County and Consultant desire to amend Task Order 16-05 to include labor compliance management services to the scope of work and to increase the compensation by \$17,685.00;

NOW, THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

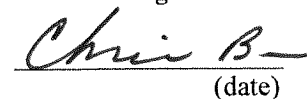
1. Task Order 16-05 is hereby amended to include labor compliance management services as described in Exhibit "B" attached hereto, and to increase the compensation by \$17,685, for a total not-to-exceed amount of \$107,813.00.
2. Except as herein amended, Task Order 16-05 dated May 26, 2016 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.

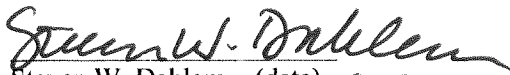
**MARIPOSA COUNTY:
Board of Supervisors**

 8-3-16
John Carrier, Chair (date)


**CONTRACTOR:
Willdan Eng.**

 7-22-16
(date)

APPROVE AS TO FORM:

 8-2-16
Steven W. Dahlem (date)
County Counsel

ATTEST:

 8-3-16
Rene LaRoche (date)
Clerk of the Board

ATTACHMENT "B"



June 22, 2016

Mr. Mike Healy, PWLF
Deputy Director
Mariposa County
4639 Ben Hur Road
Mariposa, CA 95338

Subject: (REVISED) Proposal for Labor Compliance Management Services – Whitlock Road P.M. 10.00 to P.M. 14.30 Project #12-09 (13)

Dear Mr. Healy:

Willdan Engineering (Willdan) is pleased to present to the County of Mariposa this proposal to provide construction engineering services for the subject project. The project includes traffic control, embankment work, asphalt overlay, culvert replacement, HDPE, shoulder backing, fog seal, and other appurtenant work. It is our understanding the project will begin construction this month and is expected to take 120 calendar days (86 working days) to complete.

It is our understanding the County is in need of the following:

1. Labor Compliance Services

Per your request, we have provided a detailed scope of work and our estimated fee.

(Based on 86 working days. Interviews and work-force utilization reports to be supplied by Willdan's public works observer.)

1. Receive and review labor compliance documentation from public works observers or inspectors and compare with contractor-submitted documents. Monitor contractor-submitted payroll documentation for prime contractor and any subcontractors on a continuous basis, including weekly certified payroll reports, fringe benefit statements, apprenticeship documentation, and payroll deduction authorizations.
2. Follow up with contractor by telephone, email, and/or certified mail regarding required document submittals and payroll discrepancies and deficiencies. Provide detailed description of alleged deficiencies; outline corrective action to be taken; and enforce regulatory deadlines for compliance.
3. Receive, pursue, and document labor complaints; prepare violation reports to oversight agencies as required; recommend special action to be taken if contractor continuously fails to comply with requests and requirements.
4. Coordinate with County staff the withholding of progress and/or retention payments if contractor fails to abide by labor compliance requirements.

5. Maintain content and format of labor compliance file in conformance with applicable government requirements.
6. Coordinate project file reviews by authorized county, state, and federal agencies.
7. Submit complete federal labor compliance file to County for retention.

FEE

Our proposed not-to-exceed fee for the scope of work identified above is **\$17,685.00** and is based on a 90 Calendar Day construction contract. Invoices will be submitted monthly with back-up information substantiating all charges to date. Willdan's proposed project assignment scope and cost proposal are submitted for your review, and possible acceptance, as a Task Order under Master Engineering On-Call Contract No. 16-017.

The following is Willdan's breakdown to provide the requested construction engineering services:

Classification	Rate	Hrs.	Total
Labor Compliance Manager	\$131	135 Hrs.	\$17,685.00
Total Not-to-Exceed Fee			\$17,685.00

Thank you for this opportunity to be of continuing service to the County of Mariposa. We recognize the importance of this project to the County and are committed to realizing its timely and successful completion. Should you have any questions regarding this proposal, please contact Mr. Chris Baca at (562) 364-8198.

Respectfully submitted,

WILLDAN ENGINEERING



Chris Baca
Director of Construction Management

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