

MARIPOSA COUNTY

Administration · 966-3222



RESOLUTION - ACTION REQUESTED 2018-120

MEETING: March 27, 2018

TO: The Board of Supervisors

FROM: Dallin Kimble, County Administrative Officer

RE: Approve Third Amendment to Blue Ridge Tree Mortality Contract

*ε Budget
Action*

RECOMMENDATION AND JUSTIFICATION:

Approve a Third Amendment to the Blue Ridge Services, Inc. Agreement for Tree Mortality Operations Management Services to Provide an Additional \$2,940,000 to Acknowledge a Cal Fire Grant and Extending the Contract Term to February 28, 2020; Approve Budget Action Increasing Revenue and Appropriations in the Current Fiscal Year (\$680,000); and Authorize the Board of Supervisors Chair to Sign the Amendment.

CAL FIRE has notified the County of its intention to award \$798,000 for county tree mortality mitigation efforts. The state controller's office and office of emergency services have simultaneously agreed that these funds may be used, contrary to normal procedure, as matching funds within the California Disaster Assistance Act (CDAA) program. CAL FIRE and CDAA funds will allow the County to complete approximately \$3.4 million of tree mortality mitigation work in addition to the \$560,000 possible through County funds, donated hours from Blue Ridge Services, Inc., and associated CDAA reimbursements.

CAL FIRE grant funds require expenditure by the end of December 2019. As a result of these developments, staff recommends this third amendment to extend the project term through the end of February 2020 and add \$2,940,000 for a new not-to-exceed amount of \$3.5 million. A fourth amendment is anticipated near the end of the project when exact amounts of donated hours and eligible reimbursements can be accurately calculated.

Staff is also recommending a budget action that would allocate an additional \$680,000 in the Tree Mortality Budget (Fund 448) for use in the current fiscal year. This budget action will allow some of the dollars received to go toward priority projects without further delay.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors declared a State of Emergency related to tree mortality with Resolution 2015-446 and has regularly renewed this action.

On July 19, 2016, the Board directed staff to prepare an RFQ for a Tree Mortality

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Operations Manager, which was approved with Resolution 16-500 on September 20, 2016.

On December 20, 2016, the Board approved the selection of Blue Ridge Services, Inc., and directed staff to draft an agreement. The resulting agreement was approved on February 7, 2017, and is attached to this item.

The first amendment to the agreement was approved with Resolution 2017-073 on February 21, 2017. This amendment expanded the agreement from \$160,000 to \$320,000.

The second amendment to the agreement was approved with Resolution 2017-704 on October 17, 2017. This amendment expanded the agreement from \$320,000 to \$560,000.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the amendment. Blue Ridge Services, Inc. will have fewer funds to use for tree mortality mitigation efforts.

FINANCIAL IMPACT:

The amended amount includes an additional amount of \$2,940,000 to account for Cal Fire grant funding and reimbursements from Cal OES. No additional general funds are required.

ATTACHMENTS:

Blue Ridge Services Third Amendment (DOCX)
Second Amendment (PDF)
2017.02.21 Contract Amendment (DOCX)
FY17 Blue Ridge Services Agreement (DOCX)
Graph County TM Cash Flow Final Draft v6 3.5.18(PDF)
Tree Mortality Budget Action Form (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Merlin Jones, District II Supervisor

SECONDER: Marshall Long, District III Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

BUDGET ACTION FORM

FUND	DEPT/DIV	ACCOUNT	DESCRIPTION	PROJECT	INCREASE	DECREASE
448	0158-305	62-87	CDAA Reimbursement		(\$480,000)	
448	0158-305	62-82	Cal Fire Reimbursement		(\$200,000)	
448	0158-796	04-18	Professional Services		\$680,000	
001	0104-414	1090	GENERAL CONTINGENCY			
TOTAL					\$0	\$0

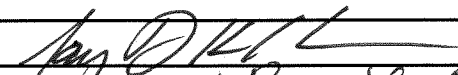
TRANSFER BETWEEN FUNDS						
TOTALS					\$0	\$0

ACTION REQUESTED: (Check all that apply)

Budget appropriation by Board of Supervisors (4/5ths Vote Required): Amending the total amount available in the county budget, or in any one fund of the budget, or appropriating Reserve for Contingencies;

Transfer by Board of Supervisors (3/5ths Vote Required): Moving existing appropriations from one budget to another, or between categories within a budget unit;

JUSTIFICATION:

DEPT HEAD SIGNATURE  DATE 4/11/2018
 APPROVED BY RES NO. 18-120 CLERK Lyni LaRochy DATE 4-12-18

AUDITOR'S USE ONLY
BA #

**THIRD AMENDMENT TO AGREEMENT FOR TREE MORTALITY OPERATIONS
MANAGEMENT SERVICES**

THIS THIRD AMENDMENT TO AGREEMENT FOR TREE MORTALITY OPERATIONS MANAGEMENT SERVICES is made and entered into this date, February 20, 2018, by and between the County of Mariposa a political subdivision of the State of California, hereinafter referred to as “**County**”, and Blue Ridge Services, Inc., hereinafter referred to as “**Contractor**”.

WHEREAS, the **County** and **Contractor** entered into an Agreement dated February 7, 2017, wherein **Contractor** agreed to provide tree mortality operations management services; and

WHEREAS, the **County** and **Contractor** entered into a first amendment dated February 21, 2017, which amended the total compensation to a not-to-exceed amount of \$320,000; and

WHEREAS, the **County** and **Contractor** entered into a second amendment dated October 10, 2017, which amended the total compensation to a not-to-exceed amount of \$560,000; and

WHEREAS, the **County** and **Contractor** desire to amend said Agreement to extend the term of the Agreement and to allow additional compensation for additional services.

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

1. Paragraph 1, “**TERM**”, is hereby amended to extend the term of the Agreement to February 28, 2020.

2. Paragraph 3, “**COMPENSATION**”, is hereby amended to provide that an additional \$2,940,000 will be added to the amended contract price of \$560,000, making the total compensation paid to **Contractor** the not to exceed amount of \$3,500,000.

3. Except as herein amended, the agreement dated February 7, 2017 together with the First Amendment, dated February 21, 2017, and the Second Amendment, dated October 10, 2017, 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.

COUNTY OF MARIPOSA:



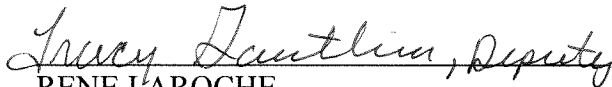
Rosemarie Smallcombe, Chairman
Mariposa County Board of Supervisors

CONTRACTOR:



Neal Bolton, President
Blue Ridge Services, Inc.

ATTEST:



RENE L'AROCHE
Clerk of the Board

APPROVED AS TO FORM:



STEVEN W. DAHLEM
County Counsel