



## Legislation Details (With Text)

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**On agenda:** 6/6/2017      **Final action:** 6/6/2017  
**Title:** Consideration of Contract Change Order No. 1 for the Valley Fire Hazard Tree Mitigation Phase II Project  
**Sponsors:** Public Services  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. CCO 1 package - Warner Enterprises signed

Date	Ver.	Action By	Action	Result
6/6/2017	1	BOARD OF SUPERVISORS	approved as amended	Pass

## MEMORANDUM

**TO:** Board of Supervisors  
**FROM:** Lars Ewing, Public Services Director  
**SUBJECT:** Approval of Contract Change Order No. 1 for the Valley Fire Hazard Tree Mitigation Phase II Project  
**DATE:** May 24, 2017

**EXECUTIVE SUMMARY:** Attached for the Board's review and approval is Contract Change Order (CCO) 1 for the subject project.

On September 20, 2016, the Board of Supervisors approved the contract with Warner Enterprises, Inc. for services to mitigate fire-damaged trees that present a hazard to the general public as a result of the Valley Fire. Execution of the contract and issuance of a notice to proceed to Warner was contingent upon receipt of a debris removal deadline extension from FEMA and a formal adjustment to the FEMA project worksheet for the associated debris removal monitoring work, contingencies that have both since been met.

Subsequent to the contingent award, FEMA rescinded the environmental approval that the County had previously secured for the project. FEMA's rescission was based on the pause in operations that occurred after May 2016 when AshBritt terminated their contract with the County. Specifically, FEMA determined that this pause created a distinctly separate phase of work for which the scope of work would not be covered under the original environmental clearance that was secured using emergency

procedures. As a result of that determination FEMA has since been engaged in a new evaluation of the environmental project impacts. The County expects to receive environmental clearance from FEMA, through CalOES, by mid-June; in the meantime the project is and has been on hold since September 2016.

The unanticipated project delays have resulted in increased contract costs for each bid item for Warner to complete the project. The increased contract costs are the result of a number of factors including the need to contract for traffic control since the use of the resource conservation district crew originally proposed is no longer available, loss of timber merchantability and ensuing increase in timber disposal costs, road improvements that require the use of rubber tire equipment rather than tracked equipment, and various increases in fuel, liability insurance, and workers compensation prices. To that end Warner Enterprises has submitted the attached CCO request to address those increases.

**FISCAL IMPACT:**   ☐ None   ☐ Budgeted   ☒ Non-Budgeted

Estimated Cost: \$632,498

Amount Budgeted: \$437,958

Additional Requested: \$194,540

Annual Cost (if planned for future years):

**RECOMMENDED ACTION:** Staff recommends that the Board of Supervisors approve CCO 1 and authorize the Chair to execute CCO 1 for an increase of \$194,540 and a revised contract amount of \$632,498.