



## Legislation Details (With Text)

**File #:** 17-929      **Version:** 1      **Name:**  
**Type:** Action Item      **Status:** Approved  
**File created:** 10/18/2017      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 10/24/2017      **Final action:** 10/24/2017  
**Title:** Consideration of Change Order No. 1 for Harbin Springs Road at Harbin Creek Bridge Replacement Project, Federal Project No. BRLO-5914(106), Bid No. 17-04  
**Sponsors:** Public Works  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. CCO #1 Harbin Creek Bridge

Date	Ver.	Action By	Action	Result
10/24/2017	1	BOARD OF SUPERVISORS	approved	Pass

## MEMORANDUM

**TO:** Board of Supervisors  
**FROM:** Scott De Leon, Public Works Director  
**DATE:** October 24, 2017  
**SUBJECT:** Approval of Change Order No. 1 for Harbin Springs Road at Harbin Creek Bridge Replacement Project, Federal Project No. BRLO-5914(106), Bid No. 17-04

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

On June 21, the day after the project bid opening, the foothill yellow-legged frog (FYLF, *Rana boylei*) was designated as a candidate species for listing as "threatened" under the California Endangered Species Act (CESA). Candidate species are entitled to the same legal protection as are the "endangered" or "threatened" species under CESA. Any attempt to relocate the FYLF (ushering, chasing, touching, handling, etc.) is considered a "take" and will require an Incidental Take Permit (ITP). A Biological Survey, required prior to construction, identified 10 adult and juvenile FYLF under the existing Bailey bridge. As a result, all construction activities were halted until an ITP was obtained from California Department of Fish & Wildlife (CDFW). Letters of support, written by Supervisor Simon and the CAO, elevated the ITP application review to "expedited". CDFW eventually agreed to allow the construction to proceed under Draft ITP Measures after a five-week shut-down.

Contract Change Order No. 1 addresses the costs associated with the preparation of the ITP

Application, preparation and implementation of FYLF Relocation Plan, installation and removal of FYLF exclusion fence, performance of daily ITP compliance monitoring and the required reporting, and accelerating the construction schedule. These items resulted in an increase of \$181,512.00 to the original contract amount of \$1,092,803.60 for a new contract amount of \$1,274,315.60. Caltrans has concurred that the costs are reasonable and eligible for reimbursement. The County has requested additional funding for the project to offset the increased costs.

This project is fully funded by the Federal Highway Administration (FHWA) thru Federal Highway Bridge Program (HBP) funds and California Toll Credit funds. Therefore, this project is 100% federally and state funded thru construction.

Staff recommends approval by the Board of Supervisors of CCO 1 and that the Board authorize the Chair to execute said CCO for an increase of \$181,512.00 and a revised contract amount of \$1,274,315.60.

**FISCAL IMPACT:**    ☐ None ☒ Budgeted ☐ Non-Budgeted  
                         Estimated Cost: \$181,512.00  
                         Amount Budgeted:  
                         Additional Requested:  
                         Annual Cost (if planned for future years):

**FISCAL IMPACT (Narrative):** This project is fully funded by the Federal Highway Administration (FHWA) thru Federal Highway Bridge Program (HBP) funds and California Toll Credit funds. Therefore, this project is 100% federally and state funded thru construction.

**STAFFING IMPACT (if applicable):**

**RECOMMENDED ACTION:** Staff recommends approval by the Board of Supervisors of CCO 1 for an increase of \$181,512.00 and a revised contract amount of \$1,274,315.60, and authorize the Chair to sign.