

**Sierra County
Board of Supervisors'
Agenda Transmittal &
Record of Proceedings**

MEETING DATE: October 5, 2021	TYPE OF AGENDA ITEM: <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
DEPARTMENT: Public Works & Transportation	
APPROVING PARTY: Tim H. Beals, Director	
PHONE NUMBER: 530-289-3201	

AGENDA ITEM: Amendment to Sierra County Agreement 2018-07 with MGE Engineering to include construction management services for 3 sites (Oxford Mine; Sailor Ravine; Gold Bluff) included in the Professional Engineering and Environmental Services Agreement for 2017 Flood Damage – Multiple Sites.

SUPPORTIVE DOCUMENTS ATTACHED: Memo Resolution Agreement Other

BACKGROUND INFORMATION: This amendment is to include construction management services for the 3 most recently awarded sites as noted above. The cost for these additional services is \$269,777.49 and increases the agreement total to \$1,454,890.57. For reference, the original contract, 2018-07, included Engineering and Environmental Services for repairs due to the 2017 storms on Brandy City, Oxford Mine, Belle Street, Foote Crossing, Goodyears Creek, Gold Bluff, Sailor Ravine, Long Valley, and the Sierraville Division Dam. These 3 sites are the last of the road repairs from the 2017 storm. The Sierraville Division Dam remains in process and under negotiation with FEMA.

FUNDING SOURCE: FEMA
GENERAL FUND IMPACT: No General Fund Impact
OTHER FUND:
AMOUNT: \$269,777.49 increase N/A

ARE ADDITIONAL PERSONNEL REQUIRED? <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	IS THIS ITEM ALLOCATED IN THE BUDGET? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IS A BUDGET TRANSFER REQUIRED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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SPACE BELOW FOR CLERK'S USE

BOARD ACTION: <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2021- _____ Agreement 2021- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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COMMENTS:

CLERK TO THE BOARD

DATE

**AMENDMENT to AGREEMENT
FOR PROFESSIONAL SERVICES
Professional Engineering and Environmental Services
2017 Flood Damage – Multiple Sites**

The following is an amendment to that certain Agreement No. 2018-07 (“Agreement”) with an Effective Date of February 6, 2018, by and between the County of Sierra, a political subdivision of the State of California (“the County”) and **MGE Engineering, Inc.**, “Contractor”.

1. Provision 1 of the Agreement, pertaining to Services is hereby amended to include Construction Management services as described in amendment 2021-061 for the following sites: Oxford Mine Road; Gold Bluff Road, and Sailor Ravine Road as shown in cost proposals attached hereto as Exhibit A.
2. Provision 2 of the Agreement, pertaining to the Term is hereby amended to extend the termination date to December 31, 2022.
3. Provision 3 of the Agreement, pertaining to the Payment refers to Attachment B. Attachment B of the Agreement pertaining to “Payment” is hereby amended as follows:

AMENDMENT TO ATTACHMENT B

The payment provisions of the Agreement are shown on Attachment B.

4. All other terms and conditions of the Agreement to remain the same.
5. This Amendment shall have an Effective Date of October 5, 2021.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date set forth above.

COUNTY OF SIERRA

“CONTRACTOR”

LEE ADAMS
Chairman, Board of Supervisors

FRED HUANG
MGE Engineering, Inc.

ATTEST:

APPROVED AS TO FORM:

HEATHER FOSTER
Clerk of the Board

DAVID PRENTICE
County Counsel

AMENDED ATTACHMENT B

PAYMENT

COUNTY shall pay CONTRACTOR as follows:

B.1 BASE CONTRACT FEE. COUNTY shall pay CONTRACTOR a contract fee not to exceed one million four hundred fifty-four thousand eight hundred ninety and 57/100 dollars (\$1,454,890.57) in accordance with cost proposal for Amendment attached as Exhibit A to this amendment. CONTRACTOR shall submit requests for payment after completion of services or no later than the tenth (10th) day of the month following provision of services. Request for payment shall be substantially in the form of the invoice attached hereto as Attachment E. Payment shall be made within thirty (30) days after the Invoice is approved by the County Contract Administrator. In no event shall total compensation paid to CONTRACTOR under this Provision B.1 exceed \$1,454,890.57 without an amendment to this Agreement approved by the Sierra County Board of Supervisors.

B.2 MILEAGE. Included

B.3 TRAVEL COSTS. Included.

B.4 AUTHORIZATION REQUIRED. Services performed by CONTRACTOR and not authorized in this Agreement shall not be paid for by COUNTY. Payment for additional services shall be made to CONTRACTOR by COUNTY if, and only if, this Agreement is amended in writing by both parties in advance of performing additional services.

B.5 SPECIAL CIRCUMSTANCES. Additional costs may be incurred up to a maximum of \$0 with written approval of the designated COUNTY Representative (Operative Provision 7) for this Agreement.

B.6 MAXIMUM CONTRACT AMOUNT. The maximum amount payable to CONTRACTOR under this Agreement shall not exceed the following:

B.1	Base Contract Fee	\$1,454,890.57
B.2	Mileage	Included
B.3	Travel Costs	Included
B.4	Authorization Required	0
B.5	Special Circumstances	0
	MAXIMUM CONTRACT AMOUNT	\$1,454,890.57

Sierra County Winter Storm Damage Repair Projects, FEMA Disasters 4301 Construction Management Services - MGE Engineering - Estimated Hours -August 9, 2021 for Gold Bluff Road Slip Out					
	Joe Siemens P.E. - Resident Engineer	Staff Inspector - MGE	MGE Task Total Hours	DCM (Labor Compliance)	W15 - Materials Testing
Hourly Rate	198.93	176.35			
Task 1 - PRECONSTRUCTION SERVICES					
270 . 25 Construction Contract Administration Work	8		8		
270 . 99 Other Construction Engineering and General Contract Administration	2		2		
SUBTOTAL HOURS	10	0	10		
COST	\$1,989.30	\$0.00	\$ 1,989.30		
Task 2 - CONSTRUCTION SERVICES					
270 Construction Engineering and General Contract Administration					
270 . 20 Perform Construction Engineering Work			0		
270 . 25 Construction Contract Administration Work	40		40		
270 . 30 Contract Item Work Inspection		192	192		
270 . 35 Construction Material Sampling and Testing	2		2		\$12,236.00
270 . 40 Perform Safety and Maintenance Reviews	2		2		
270 . 55 Perform Final Inspection and Recommend Acceptance	2		2		
270 . 56 Employment Compliance		8	8	\$4,537.31	
270 . 65 TMP Implementation During Construction		8	8		
270 . 99 Other Construction Engineering and General Contract Administration			0		
SUBTOTAL HOURS	46	208	254		
COST	\$9,150.78	\$36,680.80	\$ 45,831.58		
285 Prepare and Administer Contract Change Orders					
285.05 Contract Change Order Process			0		
290 Resolve Contract Claims					
290 . 05 Review and Analyze Notices of Potential Claims			0		
290 . 10 Supporting Documentation & Responses to NOPCs			0		
SUBTOTAL HOURS	0	0	0		
COST	\$0.00	\$0.00	\$ -		
Task 3 - POST CONSTRUCTION SERVICES					
295 Accept Contract, Prepare Final Construction Estimate, and Prepare Final Report					
295 . 05 Process Estimate After Acceptance	2		2		
295 . 10 Prepare Proposed Final Contract Estimate	2		2		
295 . 15 As-Built Plans	2		2		
295 . 20 Prepare Project History File	24		24		
295 . 25 Prepare Final Report	2		2		
295 . 30 Process Final Estimate	2		2		
295 . 99 Other Accept Contract/Prepare Final Construction Estimate and Final Report			0		
SUBTOTAL HOURS	34	0	34		
COST	\$6,763.62	\$0.00	\$ 6,763.62		
TOTAL HOURS	90	208	298		
TOTAL LABOR COST	\$17,903.70	\$36,680.80	\$54,584.50	\$4,537.31	\$12,236.00
Mileage: Estimated 41 miles per trip x 50 trips at \$0.56/mile (RE)			\$ 1,148.00		
Mileage: Estimated 114 miles per trip x 80 trips at \$0.56/mile (Inspector)			\$ 5,107.20		
Mileage: Estimated 15 mi x 54 trips \$0.56/mile (Inspector)			\$ 453.60		

The cost of our services includes furnishing of all materials, equipment and computers, labor and insurance for all services as outlined in the County's Request for Proposal. Part-time working hours are included for our Inspector for 55 Working Days with exception of working hours not allowed to be performed on Saturdays, Sundays or Holidays as stated in the construction contract special provisions.
WBS codes for MGE internal purposes

\$78,066.61

Sierra County Winter Storm Damage Repair Projects, FEMA Disasters 4301 Construction Management Services - MGE Engineering - Estimated Hours -July 28, 2021 for Oxford Mine Road Slip Out					
	Joe Siemets P.E. - Resident Engineer	Staff Inspector - MGE	MGE Task Total Hours	DCM (Labor Compliance)	NVS - Materials Testing
	198.93	176.35			
Task 1 - PRECONSTRUCTION SERVICES					
270 . 25 Construction Contract Administration Work	8		8		
270 . 99 Other Construction Engineering and General Contract Administrator	2		2		
SUBTOTAL HOURS	10	0	10		
COST	\$1,989.30	\$0.00	\$ 1,989.30		
Task 2 - CONSTRUCTION SERVICES					
270 Construction Engineering and General Contract Administration					
270 . 20 Perform Construction Engineering Work			0		
270 . 25 Construction Contract Administration Work	80		80		
270 . 30 Contract Item Work Inspection		272	272		
270 . 35 Construction Material Sampling and Testing	2		2		\$14,353.00
270 . 40 Perform Safety and Maintenance Reviews	2		2		
270 . 55 Perform Final Inspection and Recommend Acceptance	2		2		
270 . 56 Employment Compliance		8	8	\$4,537.31	
270 . 65 TMP Implementation During Construction		8	8		
270 . 99 Other Construction Engineering and General Contract Administrator			0		
SUBTOTAL HOURS	86	288	374		
COST	\$17,107.98	\$50,788.80	\$67,896.78		
285 Prepare and Administer Contract Change Orders					
285.05 Contract Change Order Process	4	8	12		
290 Resolve Contract Claims					
290 . 05 Review and Analyze Notices of Potential Claims			0		
290 . 10 Supporting Documentation & Responses to NOPCs			0		
SUBTOTAL HOURS	4	8	12		
COST	\$795.72	\$1,410.80	\$ 2,206.52		
Task 3 - POST CONSTRUCTION SERVICES					
295 Accept Contract, Prepare Final Construction Estimate, and Prepare Final Report					
295 . 05 Process Estimate After Acceptance	4	2	6		
295 . 10 Prepare Proposed Final Contract Estimate	4	2	6		
295 . 15 As-Built Plans	4	2	6		
295 . 20 Prepare Project History File	20	4	24		
295 . 25 Prepare Final Report	4		4		
295 . 30 Process Final Estimate	4	2	6		
295 . 99 Other Accept Contract/Prepare Final Construction Estimate and Final Report	4	4	8		
SUBTOTAL HOURS	44	16	60		
COST	\$8,752.92	\$2,821.60	\$11,574.52		
TOTAL HOURS	144	312	456		
TOTAL LABOR COST	\$28,645.92	\$55,021.20	\$83,667.12	\$4,537.31	\$14,353.00
Mileage: Estimated 41 miles per trip x 50 trips at \$0.56/mile (RE)			\$ 1,148.00		
Mileage: Estimated 114 miles per trip x 24 trips at \$0.56/mile (Inspector)			\$ 1,532.16		
Mileage: Estimated 15 mi x 54 trips \$0.56/mile (Inspector)			\$ 453.60		

The cost of our services includes furnishing of all materials, equipment and computers, labor and insurance for all services as outlined in the County's Request for Proposal. Part-time working hours are included for our Inspector for 55 Working Days with exception of working hours not allowed to be performed on Saturdays, Sundays or Holidays as stated in the construction contract special provisions.
WBS codes for MGE internal purposes

\$105,691.19

Sierra County Winter Storm Damage Repair Projects, FEMA Disasters 4308 Construction Management Services - MGE Engineering - Estimated Hours -July 27, 2021 for Sailor Ravine Road Slip Out					
	Joe Siemens P.E. - Resident Engineer	Staff Inspector - MGE	MGE Task Total Hours	DCM (Labor Compliance)	
Hourly Rate	198.93	176.35			
Task 1 - PRECONSTRUCTION SERVICES					
270 . 25 Construction Contract Administration Work	8		8		
270 . 99 Other Construction Engineering and General Contract Administration	2		2		
SUBTOTAL HOURS	10	0	10		
COST	\$1,989.30	\$0.00	\$ 1,989.30		
Task 2 - CONSTRUCTION SERVICES					
270 Construction Engineering and General Contract Administration					
270 . 20 Perform Construction Engineering Work			0		
270 . 25 Construction Contract Administration Work	100		100		
270 . 30 Contract Item Work Inspection		210	210		
270 . 35 Construction Material Sampling and Testing			0		
270 . 40 Perform Safety and Maintenance Reviews	8		8		
270 . 55 Perform Final Inspection and Recommend Acceptance	8		8		
270 . 56 Employment Compliance		8	8	\$4,537.31	
270 . 65 TMP Implementation During Construction		8	8		
270 . 99 Other Construction Engineering and General Contract Administration			0		
SUBTOTAL HOURS	116	226	342		
COST	\$23,075.88	\$39,855.10	\$ 62,930.98		
285 Prepare and Administer Contract Change Orders					
285.05 Contract Change Order Process	4	8	12		
290 Resolve Contract Claims					
290 . 05 Review and Analyze Notices of Potential Claims			0		
290 . 10 Supporting Documentation & Responses to NOPCs			0		
SUBTOTAL HOURS	4	8	12		
COST	\$795.72	\$1,410.80	\$ 2,206.52		
Task 3 - POST CONSTRUCTION SERVICES					
295 Accept Contract, Prepare Final Construction Estimate, and Prepare Final Report					
295 . 05 Process Estimate After Acceptance	4	2	6		
295 . 10 Prepare Proposed Final Contract Estimate	4	2	6		
295 . 15 As-Built Plans	4	2	6		
295 . 20 Prepare Project History File	20	4	24		
295 . 25 Prepare Final Report	4		4		
295 . 30 Process Final Estimate	4	2	6		
295 . 99 Other Accept Contract/Prepare Final Construction Estimate and Final Report	4	2	6		
SUBTOTAL HOURS	44	14	58		
COST	\$8,752.92	\$2,468.90	\$ 11,221.82		
TOTAL HOURS	174	248	422		
TOTAL LABOR COST	\$34,613.82	\$43,734.80	\$78,348.62	\$4,537.31	
Mileage: Estimated 41 miles per trip x 50 trips at \$0.56/mile (RE)			\$ 1,148.00		
Mileage: Estimated 114 miles per trip x 24 trips at \$0.56/mile (Inspector)			\$ 1,532.16		
Mileage: Estimated 15 mi x 54 trips \$0.56/mile (Inspector)			\$ 453.60		

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\$86,019.69