



**RESOURCE MANAGEMENT  
AGENCY  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

KUYLER CROCKER  
District One  
PETE VANDER POEL  
District Two  
AMY SHUKLIAN  
District Three  
J. STEVEN WORTHLEY  
District Four  
MIKE ENNIS  
District Five

**AGENDA DATE:** March 6, 2018

Public Hearing Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Published Notice Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Advertised Published Notice	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Meet & Confer Required	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Personnel Resolution attached	Yes <input type="checkbox"/>	N/A <input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
CONTACT PERSON: Celeste Perez    PHONE: (559)624-7010		

**SUBJECT:** Second Amendment to Agreement No. 26849 with Dokken Engineering for the D39 Traver Canal Bridge Project

**REQUEST(S):**

That the Board of Supervisors:

1. Approve the Second Amendment to Agreement No. 26849 with Dokken Engineering to increase the original contract amount by \$9,788.46 for development of on-site and off-site revegetation plan for the D39 Traver Canal Bridge Project, retroactive to January 25, 2018. This request is retroactive due to the date Resource Management Agency staff authorized Dokken Engineering to proceed with the Revegetation Plan as requested by California Department of Fish and Wildlife; and
2. Find that the Board had the authority to enter into the proposed agreement as of January 25, 2018, and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorize the Chairman to sign the Second Amendment to Agreement No. 26849.

**SUMMARY:**

The D39 Traver Canal Bridge Project (Project) consists of the replacement of the existing functionally obsolete, two-lane bridge on Road D39 over Traver Canal with a new approximately 40-foot long by 35-foot wide two-lane concrete box culvert. The bridge is located adjacent to State Route 99 along Road D39, approximately 0.5 miles northwest of the community of Traver. The Project is currently in construction and it is anticipated that construction will be completed by the end of

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**DATE:** March 6, 2018

March 2018.

In accordance with measure 2.10 of the original Streambed Alteration Agreement (SAA), the County provided the California Department of Fish and Wildlife (CDFW) final design plans prior to the start of Project activity. Upon review, CDFW determined that all adjacent eucalyptus trees proposed to be removed as part of the project were jurisdictional (ie subject to CDFW oversight); and therefore, require tree removal notification and adoption of a CDFW approved Revegetation Plan.

An amendment to the SAA was approved by your Board on January 9, 2018. The amendment allows the County to remove up to 8 trees as part of the SAA and requires the County to develop a Revegetation Plan to mitigate for tree removal. It is anticipated that the County will perform mitigation by planting trees at an off-site location approved by CDFW. The County was given 30 days from the date of the signed amendment to prepare a Revegetation Plan, including coordination of planting location and other mitigation details (including type of trees, number of replacement trees, watering methods, success criteria, etc.).

This amendment to the agreement includes the additional scope and fee required by Dokken Engineering to develop a Revegetation Plan.

Please note that this amendment to Agreement No. 26849 is being requested for approval retroactive to January 25, 2018, which coincides with the date Resource Management Agency staff authorized Dokken Engineering to proceed with the Revegetation Plan as requested by CDFW. The decision to retroactively amend this agreement enabled the County to avoid construction delays and meet the 30-day deadline imposed by CDFW.

The amendment will increase the contract amount by \$9,788.46 to cover all previously described changes to the original project scope, bringing the new not to exceed dollar amount to \$80,686.44.

The additional items of work identified under this agreement amendment will be performed under the same terms and conditions as in the original agreement, unless otherwise stated.

**FISCAL IMPACT/FINANCING:**

There is No Net County Cost to the General Fund.

The initial contract with Dokken Engineering for the D39 Traver Canal Bridge Project was approved by your Board in the amount of \$59,000 (Tulare County Agreement No. 26849). The First Amendment to Agreement was approved by your Board in the amount of \$11,897.98 on August 8, 2017.

The additional environmental support services, in the amount of \$9,788.46, will be fully funded by Federal Highway Administration (FHWA) through the Highway

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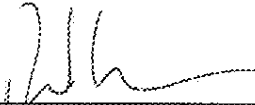
**DATE:** March 6, 2018

Bridge Program (HBP) with the use of "toll credits."

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

**Safety and Security and Economic Well Being** – This project will enhance the safety and security of the public by improving the transportation infrastructure for both the general population in the region and the motorists using this facility.

**ADMINISTRATIVE SIGN-OFF:**



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Reed Schenke  
Director

RS:jv

Cc: Auditor-Controller  
County Counsel  
County Administrative Office (2)

Attachment(s): Attachment A – Second Amendment to Agreement No. 26849 with  
Dokken Engineering for the D39 Traver Canal Bridge Project

**BEFORE THE BOARD OF SUPERVISORS  
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF SECOND ) Resolution No. \_\_\_\_\_  
AMENDMENT TO AGREEMENT NO. 26849 ) Agreement No. \_\_\_\_\_  
WITH DOKKEN ENGINEERING FOR THE )  
D39 TRAVER CANAL BRIDGE PROJECT )

UPON MOTION OF SUPERVISOR \_\_\_\_\_, SECONDED BY  
SUPERVISOR \_\_\_\_\_, THE FOLLOWING WAS ADOPTED BY THE  
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD March 6, 2018, BY  
THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

ATTEST: MICHAEL C. SPATA  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Approved the Second Amendment to Agreement No. 26849 with Dokken Engineering to increase the original contract amount by \$9,788.46 for development of on-site and off-site revegetation plan for the D39 Traver Canal Bridge Project, retroactive to January 25, 2018 This request is retroactive due to the date Resource Management Agency staff authorized Dokken Engineering to proceed with the Revegetation Plan as requested by California Department of Fish and Wildlife; and
2. Found that the Board had the authority to enter into the proposed agreement as of January 25, 2018, and that it was in the County's best interest to enter into the agreement on that date; and
3. Authorized the Chairman to sign the Second Amendment to Agreement No. 26849.

## **Attachment "A"**

**Second Amendment to Agreement No. 26849  
with Dokken Engineering for the D39 Traver  
Canal Bridge Project**

SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL  
CONSULTING SERVICES FOR D39 OVER TRAVER CANAL BRIDGE PROJECT

THIS SECOND AMENDMENT TO AGREEMENT is entered into as of \_\_\_\_\_  
between the COUNTY OF TULARE, referred to as "COUNTY", and DOKKEN  
ENGINEERING, referred to as "CONSULTANT", with reference to amending Tulare  
COUNTY Agreement No. 26849.

WHEREAS, the parties provided in Agreement No. 26849 for mutually acceptable changes in  
the scope, character, or complexity of the work to be accommodated by a supplemental  
agreement; and

WHEREAS, the subject terms and conditions are understood and agreed as set forth below.

ACCORDINGLY, IT IS AGREED:

1. COMPENSATION: The provision in Article 3, (e) "COMPENSATION" of Tulare  
COUNTY Agreement No. 26849 is hereby amended to read as follows:  
NINE THOUSAND SEVEN HUNDRED EIGHTY-EIGHT DOLLARS AND FORTY-SIX  
CENTS (\$9,788.46) shall be added to the contract to cover additional services by the  
CONSULTANT that were not included at the time of the initial contract agreement. The total  
compensation from the COUNTY to the CONSULTANT for all services under the agreement  
shall not exceed the sum of EIGHTY THOUSAND SIX HUNDRED EIGHTY-SIX DOLLARS  
AND FORTY-FOUR CENTS (\$80,686.44). Exhibit A-1, Additional Scope of Work and Exhibit  
B-1, Cost Summary show the Additional Work request from CONSULTANT. These exhibits  
are incorporated herein by reference.
2. Except as modified by this Second Amendment, all terms and conditions of Agreement  
No. 26849 shall remain in full force and effect.

TULARE COUNTY AGREEMENT NO. \_\_\_\_\_

3. This Second Amendment to Agreement shall become effective as of January 25, 2018.

// THE PARTIES, having read and considered the above provisions, indicate their agreement by their authorized signatures below.

COUNTY OF TULARE

By \_\_\_\_\_  
Chairman, Board of Supervisors

ATTEST: Michael C. Spata,  
County Administrative Officer/  
Clerk of the Board of Supervisors

By \_\_\_\_\_  
Deputy Clerk

CONSULTANT

By Michael W. Joffe

Title President

By Anthony Chiu

Title Secretary

Corporations Code Section 313 requires that contracts with a corporation shall be signed by the (1) chairman of the Board, the president or any vice-president and (2) the secretary, any assistant secretary, the chief financial officer, or any assistant treasurer; unless the contract is also accompanied by a certified copy of the Board of Directors resolution authorizing the execution of the contract.

Approved as to Form  
County Counsel

By [Signature]  
Deputy

# 2016188



**Exhibit A - 1**  
**Additional Scope of Work**



## Road D39 Over Traver Canal Bridge Project

### ENVIRONMENTAL SCOPE OF SERVICES – Project Revegetation Plan

Dokken Engineering will develop a site-specific restoration plan for the installation of approximately 40 trees at the King's River Park as described and in accordance with the requirements set forth in the Lake and Streambed Alteration Agreement Amendment for the Road D39 Bridge Replacement Project (Notification No. 1600-2016-0082-R4).

It is our understanding that the County Parks Department will be responsible for the long-term maintenance, monitoring, and reporting requirements described in Section 3.1 of the December 6<sup>th</sup>, 2017 major amendment to the Lake and Streambed Alteration Agreement.

It is also our understanding that the County will be responsible for designing/installing and maintaining an irrigation system to provide water for the first 3 years while plants are being established.

#### TASK 1.0 PROJECT REVEGETATION PLAN

##### TASK 1.1 Off-Site Revegetation Plan

In accordance with measure 3.1 (a) of the December 6<sup>th</sup>, 2017 major amendment to the Lake and Streambed Alteration Agreement, Dokken Engineering will create an off-site revegetation plan for the installation of approximately 40 trees at the King's River Park, approximately 3 miles from the project area (final quantities pending tree removal). The off-site revegetation plan will include a map of planting locations as well as a quantified list of locally native riparian tree species that will be installed. Included in this task is a field visit for the Dokken Engineering restoration biologist to assess the restoration area prior to developing the revegetation plan.

The off-site revegetation plan will include a revegetation schedule including a suggested watering schedule for the first three years of plant establishment and a suggested maintenance and monitoring schedule for five years following plant installation. The plan will establish criteria that will be used to measure the project's success in fulfilling the project's mitigation requirements. The plan will be submitted to CDFW for approval no later than two weeks following the start of tree removal. It will be revised pursuant to any County or CDFW comments. Dokken will coordinate with CDFW until the plan is approved which is required to occur within 30 days of the start of tree removal.

##### TASK 1.2 On-Site Revegetation Plan

In accordance with measure 3.1 (b) of the December 6<sup>th</sup>, 2017 major amendment to the Lake and Streambed Alteration Agreement, the project revegetation plan will include an on-site revegetation plan to stabilize and revegetate the project area following construction. Based on coordination with Tulare County, it is assumed that the contractor will use a combination of (and CDFW will approve the use of) coconut coir erosion control netting or fabric and a native seed mix for on-site stabilization. The coconut coir erosion control netting or fabric and seed mix will be included as a component of the restoration and revegetation plan.



**TASK 1.3 Agency Coordination**

Dokken Engineering will coordinate with CDFW, the County project manager, and the County Parks Department to develop a revegetation plan that meets the needs and expectations of all parties.

**Exhibit B - 1**  
**Cost Summary**



**Cost Proposal**  
**Project Revegetation Plan**  
**Road D39 Over Traver Canal Bridge**  
**County of Tulare**

CONSULTANT: Dokken Engineering

DATE: January 23, 2018

**DIRECT LABOR**

<u>Name</u>	<u>Role</u>	<u>Hours</u>	<u>Rate</u>	<u>Total</u>
Namaj Haseeinon	Environmental Manager	3	\$80.00	\$240.00
Sarah Halm	Senior Environmental Planner	32	\$48.00	\$1,536.00
Staff	Environmental Planner/Biologist	49	\$29.00	\$1,421.00
Staff	Environmental Planner/Biologist	8	\$28.00	\$224.00
		<u>92</u>		
TOTAL - Direct Labor				\$3,421.00

**FRINGE AND INDIRECT COSTS**

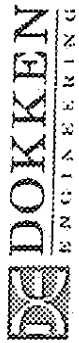
	<u>Rate</u>	<u>Total</u>
* Combined Indirect Cost Rate (ICR)	164.20%	\$5,617.28
TOTAL - Indirect Labor		\$5,617.28

**OTHER COSTS (ACTUAL COSTS)**

\* None

FEE	[ 8.30% ]	TOTAL - Fee	<u>\$750.18</u>
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TOTAL COST - NOT TO EXCEED \$9,788.46



Road D39 Over Trever Canal Bridge  
 Project Revegetation Plan  
 January 23, 2016

Task Description	NAMAAT HOSSBION Environmental Manager		SARAH HOLM Senior Environmental Planner		STAFF Environmental Planner/Biologist		STAFF Environmental Planner/Biologist		TOTAL HOURS	TOTAL COST
	(\$20.00)	\$127.24	\$20.00	\$20.00	\$20.00	\$20.00				
TASK 1.0 PROJECT RESTORATION PLAN	2	32	49	92	92	92	92	92	\$1,765.68	
1.1 On-site Revegetation Plan	2	16	49	73	73	73	73	73	\$1,945.80	
1.2 On-Site Excavation Plan		2	2	2	2	2	2	2	\$40.00	
1.3 Agency Coordination	1	12	2	13	13	13	13	13	\$2,602.00	
<b>TOTAL HOURS</b>	<b>3</b>	<b>32</b>	<b>49</b>	<b>92</b>	<b>92</b>	<b>92</b>	<b>92</b>	<b>92</b>		
<b>TOTAL COST</b>	<b>\$685.71</b>	<b>\$4,394.94</b>	<b>\$4,065.89</b>	<b>\$540.93</b>	<b>\$9,788.45</b>					