NAPA COUNTY BOARD OF SUPERVISORS
Board Agenda Letter

TO:        Board of Supervisors
FROM:      Steven Lederer - Director of Public Works
           Public Works
REPORT BY: Mallika Ramachandran, Engineering Manager - 259-8194
SUBJECT:   Amendment to Professional Services Agreement No. 190236B for ADKO Engineering for Storm Damage Repairs

RECOMMENDATION

Director of Public Works requests:

1. Approval of and authorization for the Chair to sign Amendment No.1 to Agreement No. 190236B with ADKO Engineering increasing maximum compensation by $324,053 for a new maximum of $573,000 to complete project design and engineering for eight road repair projects; and
2. Approval of Budget Transfer No. DPW044 for the following (4/5 vote required):
   a. Increase appropriation by $902,353 in the Measure T Non-Operating Special Revenue Fund (SRF) (Fund 2440, Sub-Division 1220053) offset by the use of $441,823 of its available fund balance and remaining $460,530 as soon as next quarterly disbursement becomes available (July, 2019);
   b. Increase appropriation by $130,700 in Berryessa/Knoxville Road-MPM 20.5 to 22 project budget in the Roads CIP budget (Fund 2040, Subdivision 2040500, Program S7107) offset by increase in revenue from the transfer from the Measure T SRF;
   c. Increase appropriation by $100,550 in Dry Creek Road-MPM 7.75 project budget in the Roads CIP budget (Program S7402) offset by increase in revenue from the transfer from the Measure T SRF;
   d. Increase appropriation by $98,250 in Dry Creek Road-MPM 10.5 project budget in the Roads CIP budget (Program S7313) offset by increase in revenue from the transfer from the Measure T SRF;
   e. Increase appropriation by $59,803 in Dry Creek Road-MPM 10.75 project budget in the Roads CIP budget (Program S7105) offset by increase in revenue from the transfer from the Measure T SRF;
   f. Increase appropriation by $129,300 in Mt. Veeder Road-MPM 4.75 project budget in the Roads CIP budget (Program S7405) offset by increase in revenue from the transfer from the Measure T SRF;
   g. Increase appropriation by $116,300 in Dry Creek Road-MPM 7.51 project budget in the Roads CIP budget (Program S7202) offset by increase in revenue from the transfer from the Measure T SRF;
   h. Increase appropriation by $133,150 in Mt. Veeder Road-MPM 4.0 project budget in the Roads CIP budget (Program S7306) offset by increase in revenue from the transfer from the Measure T SRF; and
i. Increase appropriation by $134,300 in Mt. Veeder Road-MPM 5.1 project budget in the Roads CIP budget (Program S7304) offset by increase in revenue from the transfer from the Measure T SRF.

EXECUTIVE SUMMARY

During the January 2017 storm event, the following sites sustained significant damage:

- FEMA - S7107 Berryessa/Knoxville Road, MPM 20.50 to 22.00 - 4301 NANCC08: Sustained road and culvert failure. The proposed repair is to replace the four 48" failed culverts and headwall with an open bottom structure and reconstruct the road.
- FEMA - S7402 Dry Creek Road - MPM 7.75 - 4308 NANCC94: Sustained 120 feet of road and embankment failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.
- FEMA - S7202 Dry Creek Road - MPM 7.51 - 4305 NANCC53: Sustained 180 feet of road and embankment failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.
- FEMA - S7313 Dry Creek Road - MPM 10.5 - 4308 NANCC93: Sustained 100 feet of road and embankment failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.
- FEMA - S7405 Mt. Veeder Road MPM 4.75 - 4308 NANCC97: Sustained 330 feet of road failure. The proposed repair is to reconstruct the road with a steel soldier pile concrete retaining wall.
- S7105 Dry Creek Road - MPM 10.75: Sustained 120 feet of road and embankment failure. The proposed repair is to reconstruct the road and embankment.
- S7306 Mt. Veeder Road MPM 4.0: Sustained 140 feet of road and embankment failure. The proposed repair is to reconstruct the road with steel soldier pile concrete retaining wall.
- S7304 Mt. Veeder Road MPM 5.1: Sustained 320 feet of road and embankment failure. The proposed repair is to reconstruct the road with steel soldier pile concrete retaining wall.

Five of the sites above qualify for federal funding and the Federal Emergency Management Agency (FEMA) has obligated funds and granted time extensions to October 2019 for these projects. The federal match for these projects are 75% FEMA, 18.75% California Office of Emergency Services (Cal OES) and 6.25% local match (Roads funds via Measure T). FEMA has currently identified funding for these five projects as listed below, but since these are large projects, staff anticipates that FEMA will ultimately approve the actual cost incurred for the design and construction of these projects.

- Berryessa/ Knoxville Road, MPM 20.50 to 22.00 - 4301 NANCC08: $1,001,200
- Dry Creek Road - MPM 7.75 - 4308 NANCC94: $240,503
- Dry Creek Road - MPM 10.5 -4308 NANCC93: $397,669
- Mt. Veeder Road MPM 4.75 - 4308 NANCC97: $1,289,395
- Dry Creek Road - MPM 7.51 - 4305 NANCC53: $695,573

There are three non-FEMA projects in the same vicinity as the FEMA approved projects and it would be cost effective and efficient to complete them at the same time, if feasible. These projects will be funded by Measure T.

On February 26, 2019, the Board approved a budget of $287,947 and awarded an agreement to ADKO Engineering to start preliminary engineering for the projects. Staff is recommending that the projects move forward to final engineering and is requesting a budget increase. The revised estimated total cost including design, environmental review, permitting, right of way, and County staff project management, is $1,190,300 for the eight projects. All project budgets are attached for reference.

Director of Public Works also requests approval of and authorization for the Chair to sign an amendment with
ADKO Engineering increasing compensation by $324,053 for a new maximum of $573,000.

**FISCAL IMPACT**

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<tr>
<th>Question</th>
<th>Answer</th>
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<td>Is there a Fiscal Impact?</td>
<td>Yes</td>
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<td>Is it currently budgeted?</td>
<td>No</td>
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<td>What is the revenue source?</td>
<td>Staff is requesting a $902,353 increase to appropriation for the design phase of the eight 2017 Winter Storm projects. The projects are currently budgeted in Fund 2040, Sub-Division 2040500 in their respective programs. Measure T funds are being used to upfront the funds in advance of reimbursement from FEMA. There's currently $441,823 available in the Measure T Non-Operating Special Revenue Fund to be transferred to the eight projects. The next Measure T quarterly disbursement is expected in mid-July and as soon as it is available the remaining $460,530 will be transferred to the projects.</td>
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<td>Is it Mandatory or Discretionary?</td>
<td>Discretionary</td>
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<td>Discretionary Justification:</td>
<td>FEMA has obligated funds and granted time extensions to October 2019 to complete the five FEMA projects. If not completed (or new extensions granted) the County could forfeit approximately $3,625,000 of FEMA funding. There are three non-FEMA projects in the same vicinity and it would be cost effective and efficient to complete them at the same time if feasible.</td>
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<td>Is the general fund affected?</td>
<td>No</td>
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<td>Future fiscal impact:</td>
<td>The revised total estimated budget for these projects, including design, environmental, permitting, right of way, and county staff project management, is $1,190,300 for the eight projects. Concurrent design of the projects have yielded a cost savings of $1,309,700 (the previous estimate was $2,500,000). Staff is requesting a budget increase of $902,353 for final engineering. Once design and engineering is completed, staff will return to the board for additional budget appropriation to construct the projects.</td>
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<td>Consequences if not approved:</td>
<td>FEMA has obligated funds and granted time extensions to October 2019 to complete five FEMA projects. If not completed, the County could forfeit approximately $3,625,000 of FEMA funding.</td>
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<td>Additional Information:</td>
<td>When reimbursements are received from FEMA, funds will be returned to the Measure T Special Revenue Fund.</td>
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**ENVIRONMENTAL IMPACT**

**ENVIRONMENTAL DETERMINATION:** The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. CEQA will performed on each project as design solutions are refined. FEMA has determined that the project qualifies for a categorical exclusion under the National Environmental Policy.
BACKGROUND AND DISCUSSION

On February 26, 2019, the Board approved a budget of $287,947 and awarded an agreement to ADKO Engineering to start preliminary engineering for the following eight projects. Staff is recommending moving forward with final engineering for the eight sites and is requesting a budget increase. The revised estimated total cost for design, environmental, permitting, right of way, and county staff project management, is $1,190,300 for the eight projects.

Budget Adjustment requested for each of the projects are as follows:

1. Berryessa/Knoxville Road MPM 20.50 to 22.00 (S7107) - increase transfer in revenue and construction services appropriation by $130,700
2. Dry Creek Road MPM 7.75 (S7402) - increase transfer in revenue and construction services appropriation by $100,550
3. Dry Creek Road MPM 10.5 (S7313) - increase transfer in revenue and construction services appropriation by $98,250
4. Dry Creek Road MPM 10.75 (S7105) - increase transfer in revenue and construction services appropriation by $59,803
5. Mt Veeder Road MPM 4.75 (S7405) - increase transfer in revenue and construction services appropriation by $129,300
6. Dry Creek Road MPM 7.51 (S7202) - increase transfer in revenue and construction services appropriation by $116,300
7. Mt Veeder Road MPM 4 (S7306) - increase transfer in revenue and construction services appropriation by $133,150
8. Mt Veeder Road MPM 5.2 (S7304) - increase transfer in revenue and construction services appropriation by $134,300

Total: $902,353

Weather permitting and once regulatory permits are secured, these projects can move into construction phase in FY 2019-20 provided that construction funds are authorized by the Board. Realistically, we expect to construct 3-5 projects this fall and the remainder in the spring. Director of Public Works requests approval of and authorization for the Chair to sign an amendment with ADKO Engineering increasing compensation by $324,053, for a new maximum of $573,000 for design and engineering.

SUPPORTING DOCUMENTS

A. BUDGET BK 20.5
B. BUDGET DC 7.51
C. BUDGET DC 7.75
D. BUDGET DC 10.5
E. BUDGET DC 10.75
F. BUDGET MV 4.5
G. BUDGET MV 4.75
H. BUDGET MV 5.1

CEO Recommendation: Approve