



## Legislation Details (With Text)

**File #:** 2022-0816  
**Type:** Consent Calendar Item      **Status:** Passed  
**File created:** 7/12/2022      **In control:** Transportation and Public Works  
**On agenda:** 8/30/2022      **Final action:** 8/30/2022  
**Title:** Authorization to Utilize Road Commissioner Authority for Northwest County Fuels Reduction Grant Projects  
**Sponsors:** Transportation and Public Works  
**Indexes:**  
**Attachments:** 1. Summary Report, 2. RESOLUTION

Date	Ver.	Action By	Action	Result
8/30/2022	1	Board of Supervisors	Approved as recommended	Pass

**To:** Board of Supervisors

**Department or Agency Name(s):** Transportation and Public Works

**Staff Name and Phone Number:** Johannes J. Hoevertsz, 707-565-2231

**Vote Requirement:** Majority

**Supervisorial District(s):** Fifth

**Title:**

Authorization to Utilize Road Commissioner Authority for Northwest County Fuels Reduction Grant Projects

**Recommended Action:**

Adopt a Resolution declaring intention to use Road Commissioner authority under Public Contract Code Section 20395 for the Northwest County Fuels Reduction Grant Projects (M21901) and delegating certain authorities to the Director of Transportation and Public Works as to such project. (Fifth District)

**Executive Summary:**

Under the Uniform Public Construction Cost Accounting Act, award of construction contracts above specified dollar thresholds is a function of the Board of Supervisors. However, for the construction, repair, or maintenance of county highways, the Uniform Public Construction Cost Accounting Act allows the Board to authorize the Director of Transportation and Public Works (TPW), as the County Road Commissioner, to utilize alternative contracting procedures for such work. In order to complete this project on schedule, the Department is requesting the Board adopt a Resolution delegating certain public contracting authorities to the Director of TPW for project M21901. If adopted, the Resolution would enable the Director to approve project plans and specifications, award and execute contracts with the lowest responsible and responsive bidder, and take other actions to administer the contracts in accordance with the procedures set forth in Section 20395 of the Public Contract Code.

**Discussion:**

In 2018, the Department of Transportation and Public Works (TPW) was awarded a CalFire Fire Prevention Grant (17-FP-LNU-0097) for \$1,082,969. The grant was awarded to assess and treat fuel risks and tree mortality within the public right-of-way along 83 miles of roads in northwestern Sonoma County, community

chipping services and outreach and education.

On October 20, 2020, the Board awarded a \$331,127.50 (including 10% contingency) contract to Kingsborough Atlas Tree Surgery, Inc. to remove 344 trees; prune 14 trees; and clear brush, grass, and weeds along 30 miles of County right-of-way on the following roads:

- Fort Ross Road from Meyers Grade Road to Cazadero Highway
- Old Cazadero Road from Cherry Street to 19555 Old Cazadero Road
- Rio Nido Road from Armstrong Woods Road to Canyon 7 Road
- Hauser Bridge Road from Seaview Road to Tin Barn Road
- King Ridge Road from Tin Barn Road to Cazadero Highway

In addition to the contract outlined above TPW staff time, County Counsel charges, environmental permitting, and outside consulting fees (Dudek, Fire Safe Sonoma) have been charged against the grant. Currently, approximately \$675,000 in grant funds remain available for eligible work. In order to complete work in calendar year 2022, TPW is requesting the Board adopt a Resolution delegating authority to the Road Commissioner to award contracts necessary to complete work described in the grant award for this project (M21901).

Public Contract Code Section 22031(b)(1) and Sonoma County Code Section 2-357 allow the Director of Transportation and Public Works to utilize the Road Commissioner procedures set forth in 20390 et seq. of the Public Contract Code as an alternative to the procedures set forth in the Uniform Public Construction Cost Accounting Act, for the construction, repair, or maintenance of county highways.

One of the specified alternative procedures is for the Director to award a contract for work and material to the lowest responsible and responsive bidder in accordance with Public Contract Code Section 20395(a)(1). TPW is requesting that the Board authorize the Director to utilize this alternative procedure. If approved by the Board, the Director will have the authority take the following actions for the project: (a) Prepare or direct preparation of surveys, profiles, cross-sections, plans, and specifications, as needed; (b) Notice and publicly open bids; (c) Award, negotiate, and execute the contracts (including a 15% contingency) to the lowest responsible bidder; (d) Reject all bids and advertise for new bids as authorized; (e) Consider and accept or reject protests, if filed; (f) Execute change orders as authorized; and (g) Take all other actions authorized under and in accordance with the procedures set forth in Section 20390 et seq. of the Public Contract Code.

The project is planned to be advertised from August 19 to September 20, 2022.

Following advertisement, electronic bids are planned to be opened on September 20, 2022.

### **Strategic Plan:**

This item directly support the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

**Pillar:** Resilient Infrastructure

**Goal:** Goal 3: Continue to invest in critical road, bridge, bicycle, and pedestrian infrastructure.  
**Objective:** Objective 1: Continue to maintain road segments, including designated turnouts where feasible, increase efforts on vegetation removal and drainage features, and improve pavement conditions in neighborhoods.

**Prior Board Actions:**

10/20/20 Item #18 - 2020 Northwest Hazard Tree and Vegetation Removal Project Contract Award, M21901

**FISCAL SUMMARY**

<b>Expenditures</b>	<b>FY 22-23 Adopted</b>	<b>FY23-24 Projected</b>	<b>FY 24-25 Projected</b>
Budgeted Expenses	\$675,000		
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$675,000</b>		
<b>Funding Sources</b>			
General Fund/WA GF			
State/Federal	\$675,000		
Fees/Other			
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$675,000</b>		

**Narrative Explanation of Fiscal Impacts:**

Expenses associated with project M21901 are included in the FY 2022-23 Roads Maintenance (11051-34010102) adopted budget. All grant eligible expenses are 100% reimbursable through the CalFire Fire Prevention Grant (17-FP-LNU-0097) and will be recorded as Road Maintenance revenue during the fiscal period expenditures occur. Project expenses which are not grant eligible or exceed the remaining grant balance will be funded through traditional Roads Maintenance including allocations from State Highway Users Tax Account (HUTA) and Road Maintenance and Rehabilitation Act (SB1).

**Narrative Explanation of Staffing Impacts (If Required):**

None.

**Attachments:**

Resolution

**Related Items "On File" with the Clerk of the Board:**

None.