



## Legislation Text

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**File #:** 2022-0903, **Version:** 1

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**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

**Supervisory District(s):** Countywide

**Title:**

Authorization to Utilize Road Commissioner Authority for the 2022-23 Vegetation Removal Project

**Recommended Action:**

Adopt a Resolution declaring intention to use Road Commissioner authority under Public Contract Code Section 20395 for the 2022-23 Vegetation Removal Project (M23001) and delegating certain authorities to the Director of Transportation and Public Works as to such Project.

**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 M23001 (the "Project"). If adopted, the Resolution would enable the Director to approve project plans and specifications, award and execute a contract with the lowest responsible and responsive bidder and take other actions to administer the contract in accordance with the procedures set forth in Section 20395 of the Public Contract Code.

**Discussion:**

In the interest of public safety and at the request of your Board, Transportation and Public works has developed Project (M23001) plans and specifications to remove well-established eucalyptus trees in two locations within the County road right-of-way, and perform roadside vegetation management along 109 miles of Class II bicycle lanes on County roads. The tools, equipment, and manpower necessary to perform this work safely is better suited for dedicated tree removal contractors and will supplement to the Department's road maintenance regularly scheduled vegetation management activities in FY 2022-23.

Removal and trimming of the eucalyptus trees will take place along Lakeville Road south of Petaluma, and on 7<sup>th</sup> Street East on the outskirts of the City of Sonoma. Eucalyptus trees at both locations have been identified as potentially hazardous and are part of the department's on-going eucalyptus management program. Roadside vegetation removal along County roads adjacent to existing Class II bicycle lanes is also included in the Project. This work will involve trimming roadside vegetation a minimum of 4 feet from the edge of pavement along

109 miles of roads to provide adequate clearance for bicyclists to safely use the bicycle lanes.

Total cost for both elements of this project is estimated at \$1,300,000 and funding for this work will come from the Road Maintenance annual SB1 allocation. 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 a contract necessary to complete work described in the grant award for this Project.

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 contract (including up to 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 29 to September 28, 2022.

Following advertisement, electronic bids are planned to be opened on September 28, 2022.

#### Strategic Plan:

This item directly supports 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 2: Increase investment by 5% annually on preventive maintenance on all road infrastructure/facilities.

#### Prior Board Actions:

None.

#### FISCAL SUMMARY

Expenditures	FY 21-22 Adopted	FY22-23 Projected	FY 23-24 Projected
Budgeted Expenses	\$1,300,000		
Additional Appropriation Requested			
<b>Total Expenditures</b>	<b>\$1,300,000</b>		
<b>Funding Sources</b>			

General Fund/WA GF			
State/Federal			
Fees/Other	\$1,300,000		
Use of Fund Balance			
Contingencies			
<b>Total Sources</b>	<b>\$1,300,000</b>		

**Narrative Explanation of Fiscal Impacts:**

Appropriations are available in the FY 2022-23 Road Maintenance adopted budget (11051-34010102) for work described in this Board Item, and funding will come from the County's annual allocations from the Road Maintenance and Rehabilitation Account (SB1).

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

None

**Attachments:**

Resolution

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

Vegetation Management Union Notice