RESOLUTION - ACTION REQUESTED 2019-544

MEETING: September 17, 2019

TO: The Board of Supervisors

FROM: Mike Van Loben Sels, Acting Fire Chief

RE: Amador Plan Stations for Mariposa County

RECOMMENDATION AND JUSTIFICATION:
Approve Agreement 4CA03951 Amendment 1 with CAL FIRE for three Amador Plan Stations in Mariposa County for Fiscal Years 2019/2020 and 2020/2021 in the Amount Not to Exceed $1,944,367.00; and Authorize the Board of Supervisors Chair to Sign the Amendment to the Three Year Agreement. The agreement would cover Usana, Mariposa, and Coulterville CAL FIRE stations. This amendment adds $1,086,998 to the original agreement. Amending Fiscal years 19/20 and 20/21, adding two additional Amador Plan Stations. Fiscal year 19/20 is increasing from $285,563 to $815,806 and fiscal year 20/21 is increasing from $299,841 to $856,596.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
Mariposa County has previously contracted with CAL FIRE to cover Usana Station under an Amador Plan Contract.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Not approving the Agreement would require Mariposa County to pursue another solution for fire station coverage.

FINANCIAL IMPACT:
This amendment adds $1,086,998 to the original agreement. Amending Fiscal Years 19/20 and 20/21, adding two additional Amador Plan Stations. Fiscal Year 19/20 is increasing from $285,563 to $815,806 and Fiscal Year 20/21 is increasing from $299,841 to $856,596. The projected expenditures for Fiscal Year 19/20 have been included in the current approved budget.

ATTACHMENTS:
lgrp_Lg1a (2)3stations (PDF)
Std-SchedA-Fiscal-Sheet-FY19-20 MMU (3) (1) (PDF)
lgrp_215 2018 19 20 21 Amador 3 Stations (PDF)
Schedule A - Complete for 1.2 (PDF)
Resolution - Action Requested 2019-544

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Marshall Long, District III Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
COOPERATIVE FIRE PROGRAMS
FIRE PROTECTION REIMBURSEMENT AGREEMENT AMENDMENT
LG-1A REV. 1/2017

1. This Agreement is entered into between the State Agency and the Local Agency named below:

STATE AGENCY’S NAME
California Department of Forestry and Fire Protection – (CAL FIRE)

LOCAL AGENCY’S NAME
County of Mariposa (Amador)

2. The term of this Agreement is: July 1, 2018 through June 30, 2021

3. The maximum amount of this Agreement is:

   $1,944,367.00
   One million nine hundred forty four thousand three hundred sixty seven dollars and zero cents

4. The parties agree to comply with the terms and conditions of the following exhibits which are by this reference made a part of the Agreement.

   This amendment adds $1,086,998 to the original agreement. Amending Fiscal Years 19/20 and 20/21, adding two additional Amador Plan Stations. Fiscal year 19/20 is increasing from $285,563 to $815,806 and fiscal year 20/21 is increasing from $299,841 to $856,596.

   All other terms and conditions shall remain the same.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

LOCAL AGENCY

LOCAL AGENCY’S NAME
County of Mariposa

BY (Authorized Signature) [Signature]

DATE SIGNED (Do not type) SEPTEMBER 18, 2019

PRINTED NAME AND TITLE OF PERSON SIGNING
Miles Menetrey, Chair, Board of Supervisors

ADDRESS
5100 Bullion Street
Mariposa, CA 95338

STATE OF CALIFORNIA

AGENCY NAME
California Department of Forestry and Fire Protection

BY (Authorized Signature) [Signature]

DATE SIGNED (Do not type) JUNE 12, 2019

PRINTED NAME AND TITLE OF PERSON SIGNING
Don Gordon, Assistant Deputy Director, Cooperative Fire Protection, Training & Safety

ADDRESS P.O. Box 944246, Sacramento, CA 94244-2460

California Department of General Services Use Only

APPROVED
DEC 20 2019
OFFICE OF LEGAL SERVICES
DEPT. OF GENERAL SERVICES

APPROVED AS TO FORM:

[Signature]

STEVEN W. DAHLEM
COUNTY COUNSEL
<table>
<thead>
<tr>
<th>Fiscal Year 9/21 (5% increase)</th>
<th>P5 Total</th>
<th>P5 Total</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td></td>
<td>$793,726</td>
<td>$33,367</td>
<td>$827,093</td>
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<thead>
<tr>
<th>Fiscal Year 1/20</th>
<th>P5 Total</th>
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<table>
<thead>
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<td>$271,965</td>
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<tr>
<td>Position</td>
<td>Ret.</td>
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<tr>
<td>Firefighter I</td>
<td>POF</td>
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<tr>
<td>Overtime</td>
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<td>Overtime</td>
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This is a Schedule A - 4144 of the Cooperative Agreement, dated July 1, 2019 between the County of Mariposa and The California Department of Forestry and Fire Protection (CAL FIRE)

<table>
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<tr>
<th>Category (Pick from List)</th>
<th>Details</th>
<th>Number</th>
<th>Months</th>
<th>Rate</th>
<th>Sub-Total</th>
<th>1.45% Uniform Benefits</th>
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<td>6.00</td>
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<td>$90</td>
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STATE OF CALIFORNIA

AGREEMENT SUMMARY
STD 215 (Rev. 05/2017)

☐ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

1. CONTRACTOR'S NAME
County of Mariposa (Amador)

2. FEDERAL I.D. NUMBER

3. AGENCY TRANSMITTING AGREEMENT
Forestry and Fire Protection

4. DIVISION, BUREAU, OR OTHER UNIT
Madera-Mariposa-Merced Unit

5. AGENCY BILLING CODE
013028

6a. CONTRACT ANALYST NAME
Lev Karshtedt

6b. EMAIL
lev.karshtedt@fire.ca.gov

6c. PHONE NUMBER
(916) 654-6833

7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE?
☐ No  ☑ Yes (If Yes, enter prior Contractor Name and Agreement Number)
Prior Contractor Name
County of Mariposa

Prior Agreement Number
4CA03791

8. BRIEF DESCRIPTION OF SERVICES
Fire Protection Services

9. AGREEMENT OUTLINE (Include reason for Agreement: Identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; include special or unusual terms and conditions.)
California Department of Forestry and Fire Protection (CAL FIRE) shall provide fire protection services to Public Resources Code Sections 4142 and/or 4144

The Local Government Wildland/Agreement falls under two exceptions listed in the DGS Administrative Order 06-06-1.
"The Contract is an interagency or revenue/reimbursement agreement, there are reasonable factors that caused the delay, and it is in the State's best interest to process the contract or amendment."

"The Contract involves another governmental entity, and an Action or inaction of that other governmental entity delayed Timely processing of the contract of amendment by the State."

10. PAYMENT TERMS (More than one may apply)

☐ Monthly Flat Rate  ☐ Quarterly  ☐ One-Time Payment  ☐ Progress Payment

☐ Itemized Invoice  ☐ Withhold ______ %  ☐ Advanced Payment Not To Exceed

☑ Reimbursement / Revenue

☐ Other (Explain)

11. PROJECTED EXPENDITURES

<table>
<thead>
<tr>
<th>FUND TITLE</th>
<th>ITEM</th>
<th>FISCAL YEAR</th>
<th>CHAPTER</th>
<th>STATUTE</th>
<th>PROJECTED EXPENDITURES</th>
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<td>Reimbursement</td>
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<td>$271,965.00</td>
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<tr>
<td>Reimbursement</td>
<td>19/20</td>
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<td>$815,806.00</td>
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<tr>
<td>Reimbursement</td>
<td>20/21</td>
<td></td>
<td></td>
<td></td>
<td>$856,596.00</td>
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OBJECT CODE

AGREEMENT TOTAL $1,944,367.00
I certify upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

ACCOUNTING OFFICER'S SIGNATURE

ACCOUNTING OFFICER'S NAME (Print or Type)

DATE SIGNED

12. AGREEMENT

<table>
<thead>
<tr>
<th>AGREEMENT</th>
<th>TERM FROM</th>
<th>TERM THROUGH</th>
<th>TOTAL COST OF THIS TRANSACTION</th>
<th>BID, SOLE SOURCE, EXEMPT</th>
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<tbody>
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<td>06/30/21</td>
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<td>Amendment 1</td>
<td>07/01/19</td>
<td>06/30/21</td>
<td>$1,086,998.00</td>
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<tr>
<td>Amendment 2</td>
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<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

TOTAL $1,944,367.00

13. BIDDING METHOD USED

[ ] Request for Proposal (RFP) (Attach justification if secondary method is used)
[ ] Use of Master Service Agreement
[ ] Invitation for Bid (IFB) [ ] Exempt from Bidding (Give authority for exempt status)
[ ] Sole Source Contract (Attach STD. 821)
[ ] Other (Explain) [ ] Reimbursement

Note: Proof of advertisement in the State Contracts Register or an approved form STD. 821, Contract Advertising Exemption Request, must be attached

14. SUMMARY OF BIDS (List of bidders, bid amount and small business status) (If an amendment, sole source, or exempt, leave blank)

15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, EXPLAIN REASON(S) (If an amendment, sole source, or exempt, leave blank)

16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?
Not Applicable. This is a reimbursement agreement with a local agency.

17a. JUSTIFICATION FOR CONTRACTING OUT (Check one)

[ ] Contracting out is based on cost savings per Government Code 19130(a), The State Personnel Board has been so notified.
[ ] Contracting out is justified based on Government Code 19130(b). When this box is checked, a completed JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60 must be attached to this document.

17b. EMPLOYEE BARGAINING UNIT NOTIFICATION

[ ] By checking this box, I hereby certify compliance with Government Code section 19132(b)(1).

AUTHORIZED SIGNATURE

SIGNER'S NAME (Print or Type)

DATE SIGNED

18. FOR AGREEMENTS IN EXCESS OF $5,000: Has the letting of the agreement been reported to the Department of Fair Employment and Housing?

[ ] No [ ] Yes [ ] N/A

19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10?

[ ] No [ ] Yes [ ] N/A

20. FOR CONSULTING AGREEMENTS: Did you review any contractor evaluations on file with the DGS Legal Office?

[ ] None on file [ ] No [ ] Yes [ ] N/A

21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR?

A. Contractor Certification Clauses

[ ] No [ ] Yes [ ] N/A

B. STD 204 Vendor Data Record

[ ] No [ ] Yes [ ] N/A

22. REQUIRED RESOLUTIONS ARE ATTACHED

[ ] No [ ] Yes [ ] N/A

23. IS THIS A SMALL BUSINESS AND/OR A DISABLED VETERAN BUSINESS CERTIFIED BY DGS?

[ ] No [ ] Yes

SB/DVBE Certification Number:

24. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED? (If an amendment, explain changes if any)

[ ] Yes __% of Agreement

Local government agreements are exempt from DVBE requirements per SCM Section 8.12 D.
25. IS THIS AGREEMENT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN THREE YEARS?

☑ No  ☐ Yes (If Yes, provide justification below)

This is an ongoing fire protection agreement in which CAL FIRE provides services to and is reimbursed by a local agency. Local agency has control over the approval based on fiscal and board restraints; this includes and extension clause to enable CAL FIRE to provide continuous, uninterrupted protection to local agency.

I certify that all copies of the referenced Agreement will conform to the original agreement sent to the Department of General Services.

SIGNATURE

<table>
<thead>
<tr>
<th>NAME/TITLE (Print or Type)</th>
<th>DATE SIGNED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mike van Loben Sels, Unit Chief</td>
<td>9/25/2019</td>
</tr>
</tbody>
</table>
JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60

In the space provided below, the undersigned authorized state representative documents, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions set forth in Government Code section 19130(b). Please specify the applicable subsection. Attach extra pages if necessary.

This is a reimbursement agreement - 19130(b) does not apply.

The undersigned represents that, based upon his or her personal knowledge, information or belief the above justification correctly reflects the reasons why the contract satisfies Government Code section 19130(b).