RESOLUTION - ACTION REQUESTED 2020-140

MEETING: March 17, 2020

TO: The Board of Supervisors

FROM: Mike Healy, Public Works Director

RE: Approve 2Nd Amendment for Roadside Weed Spraying on County Right of Ways

RECOMMENDATION AND JUSTIFICATION:

Approve Second Amendment with California Reforestation for Roadside Herbicide and Pre-Emergent Spraying to Extend the Term of the Agreement to December 31, 2020 and Increase Compensation by $80,000 for a Total Not to Exceed Amount of $157,500; and Authorize the Board of Supervisors Chair to Sign the Amendment

This amendment will allow for herbicide and where beneficial pre-emergent applications covering approximately 600 lane miles along County maintained Road Right-of-Way. The vendor, California Reforestation, is familiar with the County Road System as they have successfully provided these services in the past.

The Department will as previously described to the Board employ an Opt-Out Program allowing residents with property adjacent to County Right-of-Way the ability to opt-out of the chemical application program in exchange for the property owner assuming weed control responsibilities. Residents seeking additional information regarding the Opt-Out Program may contact the Public Works Department at 4639 Ben Hur Road to fill out the application agreement which is required to participate in this program. Enrollment in the Opt-Out Program will last for a period of two years unless otherwise revoked by the resident or by the Department due to breach of the terms of the program.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

On November 20, 2019 Resolution 2018-560 the Board approved a First Amendment to extend the term of the Agreement to December 31, 2019.

On May 8, 2018 Resolution 2018-210 the Board approved an Agreement with California Reforestation for roadside weed spraying in the County right of way.

On February 28, 2017 Resolution 2017-103 Public Works rescinded Resolution 2016-
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609 because of requirements of the California Environmental Quality Act CEQA).

On November 22, 2016 Resolution 2016-609 the Board approved roadside weed spraying services.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not approve, there will be no roadside weed spraying.

FINANCIAL IMPACT:
There is no financial impact as these project funds have been previously appropriated.

ATTACHMENTS:
Cal Reorest 2nd amd (PDF)
Calif Reforestation 1st Amd (DOC)
California Reforestation 18-043 Weed Spraying (PDF)
Weed abatement forms (PDF)
Calif Reforestation (PDF)
Calif Reforestation (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
SECOND AMENDMENT TO AGREEMENT FOR ROADSIDE WEED SPRAYING ON COUNTY RIGHT OF WAYS

THIS SECOND AMENDMENT TO AGREEMENT FOR ROADSIDE WEED SPRAYING ON COUNTY RIGHT OF WAYS is made and entered into this 12th day of March, 2020, by and between the County of Mariposa, a political subdivision of the State of California, hereinafter referred to as “County,” and California Reforestation, Inc. hereinafter referred to as “Contractor.”

WHEREAS, County and Contractor have heretofore entered into an Agreement dated May 8, 2018, wherein Contractor agreed to provide roadside weed spraying services; and

WHEREAS, County and Contractor entered into a First Amendment dated November 20, 2018 to extend the term of the Agreement to December 31, 2019

WHEREAS, County and Contractor desire to extend the term of said Agreement and to increase compensation to be provided to Contractor;

NOW, THEREFORE, the parties hereto in consideration of the mutual covenants herein recited, hereby agree as follows:

1. Paragraph 1, “TERM”, is hereby amended to extend the term of the Agreement to December 31, 2020.

2. Paragraph 2, “COMPENSATION” is hereby amended to increase compensation by ($80,000) Eighty Thousand Dollars for a total not to exceed amount ($157,500) One Hundred Fifty Seven Thousand Five Hundred Dollars.

3. Except as herein amended, the agreement dated May 8, 2018 together with the First Amendment dated November 20, 2018 shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the date first above written.

COUNTY OF MARIPOSA:

Kevin Cann, Chairman
Mariposa County Board of Supervisors

CONTROLLER:

California Reforestation, Inc.

ATTEST:

RÉNE LAROCHE
Clerk of the Board

APPROVED AS TO FORM:

STEVEN W. DAHLEM
County Counsel

LAST UPDATED 7/11/18