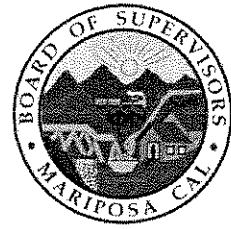




# MARIPOSA COUNTY

Public Works • (209) 966-5356



## **RESOLUTION - ACTION REQUESTED 2013-346**

MEETING: August 13, 2013

TO: The Board of Supervisors

FROM: Peter Rei, Public Works Director

RE: Approve the Third Amendment with Analytical Environmental Services

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### **RECOMMENDATION AND JUSTIFICATION:**

Approve the Third Amendment with Analytical Environmental Services (AES) to Increase the Compensation in the Not-To-Exceed Amount to \$48,846, Extend the Term to June 30, 2014, and Authorize the Board of Supervisors Chair to Sign the Amendment.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

On March 27, 2012 the Board approved a Professional Services Agreement with Analytical Environmental Services (AES) in the amount of \$35,470 to prepare the National Environmental Policy Act (NEPA) and California Environmental Quality Act (CEQA) Environmental Documents for Mariposa County's \$8.5 million Disaster Recovery Initiative (DRI) grant awarded through the California Development Block Grant (CDBG) program.

On September 25, 2012, Resolution No. 12-484, the Board approved the First Amendment for an additional \$37,224 which increased the total not-to-exceed amount to \$72,694.

The First Amendment directed AES to prepare an analysis of Cultural Resources for the three North County Roads (Schilling, Dogtown and Bondurant Mine Roads) which were not included in the original scope of work. The First Amendment did not include the analysis of Cultural Resources for the West Whitlock Road portion of the project. The analysis of the Cultural Resources for West Whitlock Road is what is before Board today.

On May 7, 2013, Resolution No. 13-172, the Board approved the Second Amendment extending the completion date of the AES Agreement to December 31, 2013.

On July 23, 2013 the North County Roads Environmental Document, including the Cultural Resources information, was accepted by the State Historic Preservation Office (SHPO) by AES. Having received this acceptance a Notice of Completion of the NEPA process has been prepared by AES for the North County Roads and submitted to CDBG. This completes the CEQA and NEPA Environmental process for Shilling, Dogtown and Bondurant Mine Roads.

The Third Amendment will authorize the completion of the Cultural Resources analysis and inclusion of that information in a second NEPA Environmental Document for the West Whitlock Road portion of the project. If approved by the Board, AES will be directed to complete the Cultural Resources work for West Whitlock Road and submit the completed NEPA Environmental Document to the SHPO for their review and approval as required by federal law.

Our consultant, Trent Wilson of AES, will be present to answer any questions that the Board has concerning the environmental process and why it is taking so much time and money to complete.

**ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

The Board could choose not to approve the Third Amendment. Doing so would cause the West Whitlock portion of the project to not meet the federal environmental requirements under the NEPA law. This would prohibit construction of the project.

**FINANCIAL IMPACT:**

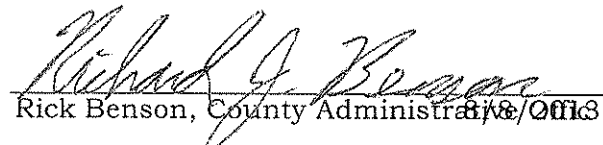
**Funding budgeted in Fund #515-1315-785-0636. Amendment pending CDBG approval.**

**ATTACHMENTS:**

- Letter from Office of Historic Preservation Dated July 23, 2013 (PDF)**
- AES Third Amendment DRI Roads (PDF)**
- AES Second Amendment DRI Roads (PDF)**
- AES First Amendment DRI Roads (PDF)**
- AES Agreement-DRI Roads (PDF)**

**CAO RECOMMENDATION**

Requested Action Recommended

  
Rick Benson, County Administrator/Office

**RESULT: ADOPTED [UNANIMOUS]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Kevin Cann, District IV Supervisor

**AYES:** Lee Stetson, Merlin Jones, Kevin Cann, John Carrier

**EXCUSED:** Janet Bibby