

RESOLUTION NO. 2018-065

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROHNERT
PARK APPROVING THE FIRST AMENDMENT TO THE CONSULTANT
SERVICES AGREEMENT WITH CONSERVATION CORPS NORTH
BAY FOR HABITAT MITIGATION PLAN IMPROVEMENTS**

WHEREAS, the adopted, mitigation measures for the City's East Trunk Sewer Phase III/Snyder Lane Widening Project include the implementation of a Habitat Mitigation Plan (Plan) to compensate for areas of Copeland Creek impacted by the project; and

WHEREAS, the specialized nature of the Plan requires the City to contract for the services needed to implement portions of the Plan; and

WHEREAS, the City of Rohnert Park Municipal Code Title 3 Chapter 3.04 provides that the City's purchasing functions, including contracting for services, shall be governed by the City's Purchasing Policy; and

WHEREAS, Section 3.6D of the City's Purchasing Policy allows that contracts for consultant services may be awarded through competitive or negotiated processes; and

WHEREAS, staff issued a Request for Proposals in August 2015, which resulted in three proposals, which were evaluated and rejected by City staff because they were nonresponsive to the City's budget needs; and

WHEREAS, City staff then contacted the Conservation Corps North Bay to invite a proposal for the revegetation work included in the Plan; and

WHEREAS, Conservation Corps North Bay is a non-profit organization with significant experience in creek restoration and maintenance in Sonoma County, is qualified to perform the work and possesses the technical expertise and manpower to provide the revegetation in accordance with the Habitat Mitigation Plan; and

WHEREAS, Conservation Corps North Bay submitted a proposal for performing the Habitat Mitigation Plan revegetation work which was responsive to the City's needs including budget needs; and

WHEREAS, on September 10, 2016, the City Council authorized and approved the agreement with Conservation Corps North Bay with its Resolution 2016-91 which authorized a not-to-exceed contract amount of \$30,000; and

WHEREAS, Conservation Corps North Bay completed its scope of work which included planting the required mitigation areas and the City is now requesting additional maintenance support for the plantings as required by its approved Habitat Mitigation Plan; and

WHEREAS, Conservation Corps North Bay remains the most qualified consultant to assist the City with its work.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rohnert Park that it does hereby authorize and approve the first amendment to the Consultant Services Agreement with Conservation Corps North Bay for Habitat Mitigation Plan Improvements in

substantially similar form to Exhibit A which is attached hereto and incorporated by reference (the "Agreement"), in an amount not to exceed an additional thirteen thousand dollars (\$13,000), which will bring the total amount of the agreement up to forty-three thousand dollars (\$43,000).

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute documents pertaining to the same for and on behalf of the City of Rohnert Park, including the Agreement, subject to minor changes approved by the City Attorney.

BE IT FURTHER RESOLVED that, in accordance with the City's Purchasing Policy, the City Manager is hereby authorized to execute additional amendments to the Consultant Services Agreement with Conservation Corps North Bay for Habitat Mitigation Plan Improvements, up to a total amount of one hundred thousand dollars (\$100,000) as necessary to complete the required mitigation work included in the City's Habitat Mitigation Plan.

DULY AND REGULARLY ADOPTED this 8th day of May, 2018.

CITY OF ROHNERT PARK

ATTEST:

Caitlin Saldanha
Caitlin Saldanha, Assistant City Clerk

Pam Stafford
Pam Stafford, Mayor

Attachment: Exhibit A

AHANOTU: Absent BELFORTE: Absent MACKENZIE: Ayr CALLINAN: Ayr STAFFORD: Ayr
AYES: (3) NOES: (0) ABSENT: (2) ABSTAIN: (0)

EXHIBIT A

PROPOSAL

February 15, 2018

CONSERVATION CORPS NORTH BAY

CONTRACTORS LIC. #690064
27 Larkspur Street, San Rafael, CA 94901
and

City of Rohnert Park

600 Enterprise Dr, Rohnert Park, CA 94928
Liane Ware – lware@rpcity.org – 707-588-2235

Scope of Work

Conservation Corps North Bay (CCNB) will supply to **City of Rohnert Park** a supervised crew of 1 Corpsmember to provide ongoing watering services to plants and trees included in the Copeland Creek Habitat Mitigation Plan.

CCNB crews will: 1) Water sub-canopy species (Zone B) and riparian trees (Zone C) at a frequency of approximately once every two weeks from March-October 2018. 2) Apply 1-2 gallons of water to each plant and tree, immediately adjacent to the planting collar, during each visit. 3) Provide weeding and vegetation maintenance services within planting zones, as needed, to help achieve proscribed mitigation requirements.

Labor (16 days @ \$ 756.00 per day)	\$12,096.00
Materials (water tanks, hoses, etc)	<u>\$800.00</u>

Subtotal:	\$12,896.00
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Fiscal Display

Charges are based on the following labor and materials rates: Dump truck \$300; Bobcat \$200; Extra vehicle \$150 per day; Chipper \$350. Disposal costs and materials are billed at cost plus 10% handling. The hourly labor rate is \$31.75 per Corpsmember hour and \$ 62.75 per Supervisor hour. A crew of 1 Corpsmembers and 1 Supervisor is \$756.00 per day plus expenses. Billing includes travel time to and from the CCNB Center.

Labor and services will be provided until total costs equal contract total or the scope of the work is completed, whichever comes first. Actual daily costs may vary due to attendance. This proposal is valid for two months.

**FIRST AMENDMENT TO THE CONSULTANT SERVICES AGREEMENT WITH
CONSERVATION CORPS NORTH BAY, A NON-PROFIT ORGANIZATION, FOR
COPELAND CREEK HABITAT MITIGATION PLAN IMPROVEMENTS FOR THE
EAST SIDE TRUNK SEWER PHASE III – SNYDER LANE WIDENING PROJECT**

This First Amendment to the Agreement between the City of Rohnert Park ("City") and Conservation Corps North Bay, a non-profit organization, ("Consultant") for additional services ("First Amendment") is entered into as of the 8th day of May, 2018, ("Effective Date"), by and between City and Consultant.

RECITALS

- A. City and Consultant are parties to that certain Agreement entitled "*Consultant Services Agreement for Habitat Mitigation Plan Improvements*" dated September 13, 2016, and authorized through Resolution No. 2016-91 approved by the Acting City Manager on September 14, 2016, for the amount of \$30,000.
- B. City and Consultant now desire to enter into this First Amendment to provide for additional work as described below.

AGREEMENT

NOW, THEREFORE, in consideration of the following mutual promises, the parties hereby amend the Agreement as follows:

1. Scope of Services. In addition to the services provided under the Agreement, Consultant shall provide additional services as described in the attached Exhibit A.
2. Compensation. Consultant shall perform the services described in this First Amendment for a total not-to-exceed amount of \$13,000. The total compensation under the original Agreement in addition to the First Amendment is the amount of \$43,000.
3. Agreement in Effect. Except as amended by this First, the Agreement shall remain in full force and effect.
4. Counterpart Signatures. This First Amendment may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement.

IN WITNESS THEREOF, the parties have executed this First Amendment as of the date first written above.

CITY OF ROHNERT PARK:

By: _____ / _____
Darrin Jenkins, City Manager (Date)
Per City Council Resolution 2018-____, adopted
on May 8, 2018.

CONSERVATION CORPS NORTH BAY:

By: _____ / _____
Name: _____ (Date)
Title: _____

ATTEST:

Caitlin Saldanha, Deputy City Clerk

APPROVED AS TO FORM:

City Attorney