



COUNTY OF PLACER
Community Development Resource Agency

PLANNING

Michael J. Johnson, AICP
Agency Director

MEMORANDUM

TO: Board of Supervisors

FROM: Michael J. Johnson, Agency Director

DATE: November 17, 2009

SUBJECT: First contract amendment with Sundance Properties to cover grading permit and post-construction technical hydrology fees not anticipated for the Placer County Lakeview Farms Restoration Project

ACTION REQUESTED: The Planning Department recommends that the Board of Supervisors execute a \$28,000 contract amendment with Sundance Properties to cover unexpected costs associated with Engineering and Surveying Department fees not factored into the project budget.

BACKGROUND:

The scope of work for the Sundance Properties Lakeview Farms Restoration project had three elements: 1) Restoration of 7.5 acres of riparian habitat adjacent to Coon Creek through the set back of the existing levee to expand the floodplain. Over a thousand trees and shrubs were planted; 2) Restoration of 15 acres of upland grassland using a native grass and wildflower seed mix; and 3) Creation of nearly 4 acres of seasonal wetland habitat. Protection and restoration of the Sundance Properties site is consistent with the long-range goals of the Placer County Conservation Plan and the Placer Legacy Program objection to maintain the ecological integrity of the Coon Creek watershed. Construction was completed in December of 2008 at a cost of \$380,000.

However, what was not part of the scope or factored into the project budget were unexpected Community Development Resource Agency Engineering and Surveying Department fees applied to a Planning Department initiated habitat restoration project. Neither Sundance Properties, nor its agents, nor the Planning Department anticipated a \$31,566 cost over-run associated with grading permit and post-construction technical hydrology fees – which experience dictated would not apply to this type of project. Presently the consultant to Sundance Properties, Restoration Resources, has absorbed these unforeseen costs. Planning Department staff does not believe that burdening the consultant with these expenses, which were not agreed to and were not part of the original scope of work, is fair.

FISCAL IMPACT: Though cost overrun was \$31,566 and the action requested is for \$28,000, the fiscal impact was determined to be \$18,177. \$9,823 of the \$31,566 cost incurred was fees paid directly to the Engineering and Surveying Department and could be viewed as revenue neutral. In addition, the consultant agreed to absorb \$3,566 of the \$31,566. Therefore, the fiscal impact of this request would be \$18,177 (\$31,566 minus \$3,566 minus \$9,823 = \$18,177). The \$28,000 requested for this contract amendment would be taken from the Wetland Trust Fund.

RECOMMENDATIONS: The Planning Department recommends that the Board of Supervisors take the following action:

1. Execute a \$28,000 contract amendment with Sundance Properties to cover unexpected costs associated with Survey and Engineering Department fees not factored into project budget for the recently completed Sundance Properties restoration project.

Respectfully Submitted,



MICHAEL J. JOHNSON, AICP
Agency Director

EXHIBITS:

- Exhibit A: Contract Amendment and Scope of Work
- Exhibit B: Original Contract

cc: Placer County Procurement Office