



RESOLUTION No. 17-519

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 2 TO THE PERSONAL SERVICES CONTRACT WITH THE ADAMS ASHBY GROUP, INC. TO PROVIDE PREVAILING WAGE COMPLIANCE SERVICES IN COMPLIANCE WITH THE DAVIS-BACON ACT AS REQUIRED BY THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR THE PENN VALLEY SEWER PROJECT AND THE BOST HOUSE REHABILITATION PROJECT APPROVED UNDER COMMUNITY DEVELOPMENT BLOCK GRANT 13-CDBG-8931 (RESOLUTION 16-114)

WHEREAS, the Board of Supervisors approved execution of Standard Agreement 13-CDBG-8931 between the County of Nevada and the State Housing and Community Development (HCD) Community Development Block Grant (CDBG) Program per Resolution 14-041 on January 28, 2014, and subsequently approved execution of Amendment No. 1 to the Standard Agreement 13-CDBG-8931 per Resolution 15-408 on September 8, 2015; and

WHEREAS, Standard Agreement No. 13-CDBG-8931 included funding under the water/sewer improvement category for the construction of the Penn Valley Sewer Pipeline Project and Amendment #1 included funding under the health facilities – drug and alcohol treatment category for the Bost Avenue House Rehabilitation Project; and

WHEREAS, Federal and State funding regulations require that the construction of the above mentioned projects abide by prevailing wage requirements and provide documentation to the State Housing and Community Development (HCD) Community Development Block Grant (CDBG) Program; and

WHEREAS, per Resolution 16-114, the Board of Supervisors approved the Personal Services Contract with Adams Ashby Group, Inc., to provide Davis-Bacon Act Compliance Officer services for the contract term of March 22, 2016 through September 30, 2016 in the maximum amount of \$42,720; and subsequently approved Amendment No. 1 to extend the contract termination to October 31, 2017; and

WHEREAS, the parties desire to amend their Agreement to: 1) extend the contract termination date from October 31, 2017 to June 30, 2018 to allow for the completion of the Penn Valley Sewer Pipeline and the Bost House Rehabilitation Projects; 2) increase the Maximum Contract Price to cover additional costs due to the extension of the project completion date; 3) revise Exhibit "B" Schedule of Charges and Payments, to reflect the increase in Maximum Contract Price.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that Amendment No. 2 to the Personal Services Contract by and between the County and the Adams Ashby Group, Inc., pertaining to the provision of Labor Standard Compliance Officer services in compliance with the Davis-Bacon Act and duties required to ensure compliance with the State Housing and Community Development (HCD) Community Development Block Grant (CDBG) Program requirements in relation to the Penn Valley Sewer Pipeline and Bost House Rehabilitation Projects, to extend the contract termination date from October 31, 2017 to June 30, 2018, and increase the maximum contract price from \$42,720 to \$45,120 (an increase of \$2,400) for the contract term of March 22, 2016 through June 30, 2018, be and hereby is approved, and that the Chair of the Board of Supervisors be and is hereby authorized to execute the Amendment on behalf of the County of Nevada.

Funds to be disbursed from account: 1607-50605-451-4013/521520.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 24th day of October, 2017, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Hank Weston, Chair

10/24/2017 cc: CSS*
AC*
AAG, Inc.

**AMENDMENT #2 TO THE PERSONAL SERVICES CONTRACT WITH
ADAMS ASHBY GROUP, INC.
(RESO NO. 16-114 and RESO NO. 16-503)**

THIS AMENDMENT is dated this 24th day of October 2017 by and between Adams Ashby Group, Inc., hereinafter referred to as "Contractor", and County of Nevada, hereinafter referred to as "County". Said Amendment will amend the prior Agreement between the parties entitled Personal Services Contract, executed on March 22, 2016, per Resolution No. 16-114 and subsequently amended on October 25, 2016 per Resolution No. 16-503; and


WHEREAS, the Board of Supervisors approved a contract with Adams Ashby Group, Inc. to provide Davis-Bacon Act Compliance Officer Services; and

WHEREAS, the parties desire to amend their agreement to: 1) extend the contract termination date from October 31, 2017 to June 30, 2018 to allow for the completion of the construction contracts for the Penn Valley Sewer Pipeline and the Bost House Rehabilitation Projects; 2) increase the Maximum Contract Price from \$42,720 to \$45,120 (an increase of \$2,400) to cover additional costs due to the extension of the project completion date; 3) revise Exhibit "B" Schedule of Charges and Payments, to reflect the increase in the Maximum Contract Price.

NOW, THEREFORE, the parties hereto agree as follows:

- 1) That Amendment #2 shall be effective as of November 1, 2017.
- 2) That Section (§2) Maximum Contract Price, shall be changed to the following: \$45,120.
- 3) That Section (§3), Contract Termination Date, shall be changed to the following: 06/30/2018.
- 4) That Exhibit "B", Schedule of Charges and Payments, shall be amended and replaced, as set forth in the amended Exhibit "B" attached hereto and incorporated herein.
- 5) That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

CONTRACTOR:

By: 
Paul Ashby
Adams Ashby Group, Inc.
770 L Street, Suite 950
Sacramento, California 95814

COUNTY OF NEVADA:

By: 
Honorable Hank Weston
Chair, Board of Supervisors

Attest:

By: 
Julie Patterson Hunter
Clerk of the Board of Supervisors

EXHIBIT "B" SCHEDULE OF CHARGES AND PAYMENTS - ADAMS ASHBY GROUP, INC.

Cost Proposal – Sewer Line Project

AAG proposes to bill labor compliance services for the fee listed below. All charges may be included in your grant through Activity Delivery dollars, thus not impacting your general fund. Below we have estimated the required hours for each task based on one bid per project.

Contractor shall be compensated for services at the following rates:

| Task* | Schedule | Time Allocation |
|---|---|-----------------|
| Step 1: Applicability | | |
| 1.1 Advise State Representative of Labor Compliance Officer contact information | Immediate - upon award of contract. | |
| 1.2 Establish file and insert Start Construction Checklist. Begin set up of project and establish wage rate sheet. Prepare documents for bid package and review package before publication. | Once project is ready to move forward | |
| 1.3 Secure Wage Rate Determination (SF-308) from CDBG representative – update prior to bid release | Once project has been approved and design in at 95% completion. | 24 |
| Step 2: Bid Process | | |
| 2.1 Obtain documentation of Advertise for Bids | | |
| 2.2 Calendar date of pre-bid conference, prepare handouts related to MBE/WBE and Section 3 and attend | At bid issuance | |
| 2.3 Discuss wage classifications and if additional classification requests will be required | At pre-bid conference | |
| 2.4 Obtain 10 day update prior to bid opening - receive and review if update has occurred. | Based on bid opening date | |
| 2.5 Open & Award Bids (after 15 day waiting period) | | |
| 2.6 Notify representative of Bid Award | Approval of Board | 32 |
| Step 3: Verification of Contractors and Subcontractors | | |
| 3.1 Run EPLS and California license verification on all sub and general | At award - prior to contract execution | |
| 3.2 Review insurance coverage | At award - prior to contract execution | 8 |
| Step 4: Notice of Award/Pre-Construction | | |
| 4.1 Obtain contract copy for file/including sub contracts – collect all required Section 3 data for reporting | Advise at Pre-Bid and obtain once contract is executed | |
| 4.2 Issue Notice of Award to required agency(ies) | Approval of Board | |
| 4.3 Calendar Pre-Construction Conference and advise required state representatives | After Approval of Board | |

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|---|---|--|-----------------|
| 4.4 | Prepare agenda and Labor Compliance Book for General and all Subs - Schedule training | 7 days prior to Pre-construction meeting | |
| 4.5 | Attend Pre-Construction meeting | As scheduled | |
| 4.6 | Finalize forms/documents and final wage rates | Prior to notice to proceed being issued. | 60 |
| Step 5: Construction | | | |
| 5.1 | Obtain Notice to Proceed - Begin Payroll # 1 | As scheduled | |
| 5.2 | Notify State Representative of Start of Construction | As scheduled | 5 |
| Step 6: Begin Labor Compliance Monitoring | | | |
| 6.1 | Review Contractor Work Schedule and discuss with project manager - Develop interview schedule | At construction start date | |
| 6.2 | Conduct employee interviews | Varies on construction | |
| 6.3 | Collect and Review/Approve Weekly Payrolls | Weekly | |
| 6.6 | Compare Payroll Forms to Interviews/project reports | As needed | |
| 6.7 | Submit/Reject payrolls and review reports for corrections | As needed | |
| 6.8 | Follow-up on payments to workers | As needed | |
| 6.9 | Report violations to City | As needed | |
| 6.10 | Report any violations to HCD* | As needed | 180 |
| Step 7: Monthly Labor Compliance Certification | | | |
| 7.1 | Provide required reports to State Representative (as required) | Semi-Annual reports | |
| 7.2 | Complete Final Wage Compliance Report/Certifications | Project close-out | 24 |
| Step 8: Close-out | | | |
| 8.1 | Finalize project reports, files, audit and package for filing | | 40 |
| Sewer Line Project | | Total hours 373 x \$80 per hour | \$29,840 |

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Cost Proposal – Bost Avenue Housing Rehabilitation Project

AAG proposes to bill labor compliance services for the fee listed below. All charges may be included in your grant through Activity Delivery dollars, thus not impacting your general fund. Below we have estimated the required hours for each task.

| Task* | Schedule | Time Allocation |
|---|---|-----------------|
| Step 1: Applicability | | |
| 1.1 Advise State Representative of Labor Compliance Officer contact information | Immediate - upon award of contract. | |
| 1.2 Establish file and insert Start Construction Checklist. Begin set up of project and establish wage rate sheet. Prepare documents for bid package and review package before publication. | Once project is ready to move forward | |
| 1.3 Secure Wage Rate Determination (SF-308) from CDBG representative – update prior to bid release | Once project has been approved and design in at 95% completion. | 24 |
| Step 2: Bid Process | | |
| 2.1 Obtain documentation of Advertise for Bids | | |
| 2.2 Calendar date of pre-bid conference, prepare handouts related to MBE/WBE and Section 3 and attend | At bid issuance | |
| 2.3 Discuss wage classifications and if additional classification requests will be required | At pre-bid conference | |
| 2.4 Obtain 10 day update prior to bid opening - receive and review if update has occurred. | Based on bid opening date | |
| 2.5 Open & Award Bids (after 15 day waiting period) | | |
| 2.6 Notify representative of Bid Award | Approval of Board | 32 |
| Step 3: Verification of Contractors and Subcontractors | | |
| 3.1 Run EPLS and California license verification on all sub and general | At award - prior to contract execution | |
| 3.2 Review insurance coverage | At award - prior to contract execution | 8 |
| Step 4: Notice of Award/Pre-Construction | | |
| 4.1 Obtain contract copy for file/including sub contracts – collect all required Section 3 data for reporting | Advise at Pre-Bid and obtain once contract is executed | |
| 4.2 Issue Notice of Award to required agency(ies) | Approval of Board | |
| 4.3 Calendar Pre-Construction Conference and advise required state representatives | After Approval of Board | |

| | | | |
|---|---|--|-----------------|
| 4.4 | Prepare agenda and Labor Compliance Book for General and all Subs - Schedule training | 7 days prior to Pre-construction meeting | |
| 4.5 | Attend Pre-Construction meeting | As scheduled | |
| 4.6 | Finalize forms/documents and final wage rates | Prior to notice to proceed being issued. | 60 |
| Step 5: Construction | | | |
| 5.1 | Obtain Notice to Proceed - Begin Payroll # 1 | As scheduled | |
| 5.2 | Notify State Representative of Start of Construction | As scheduled | 5 |
| Step 6: Begin Labor Compliance Monitoring | | | |
| 6.1 | Review Contractor Work Schedule and discuss with project manager - Develop interview schedule | At construction start date | |
| 6.2 | Conduct employee interviews | Varies on construction | |
| 6.3 | Collect and Review/Approve Weekly Payrolls | Weekly | |
| 6.6 | Compare Payroll Forms to Interviews/project reports | As needed | |
| 6.7 | Submit/Reject payrolls and review reports for corrections | As needed | |
| 6.8 | Follow-up on payments to workers | As needed | |
| 6.9 | Report violations to City | As needed | |
| 6.10 | Report any violations to HCD* | As needed | 48 |
| Step 7: Monthly Labor Compliance Certification | | | |
| 7.1 | Provide required reports to State Representative (as required) | Semi-Annual reports | |
| 7.2 | Complete Final Wage Compliance Report/Certifications | Project close-out | 4 |
| Step 8: Close-out | | | |
| 8.1 | Finalize project reports, files, audit and package for filing | | 10 |
| Bost Avenue Housing Rehabilitation Project | | Total hours 191 x \$80 per hour | \$15,280 |

Total Cost Proposal for Labor Compliance Services - \$45,120

EXHIBIT "B"
SCHEDULE OF CHARGES AND PAYMENTS
ADAMS ASHBY GROUP, INC.
(continued)

Payment schedules shall set forth specific milestones which relate to the schedule of services to be provided, as set forth in Exhibit "A" above, and as described in the Cost Proposal made part of this Exhibit "B". In no event shall the total compensation paid to Contractor in accordance with the terms of this Agreement exceed the Maximum Contract Price set forth on page 1, § 2. Contractor shall submit invoices once a month in arrears for services provided. Contractor shall itemize on the invoice the dates, duration and services provided. The invoices shall be submitted no later than the 15th of each month.

Invoices shall be submitted to:

Nevada County Health and Human Services Agency
Attn: Fiscal Staff
950 Maidu Ave.
Nevada City, CA 95959

County shall review the billing and notify the Contractor within fifteen (15) working days if an individual item or group of costs is being questioned. Contractor has the option of either removing the questioned cost or delaying the entire claim pending resolution of the cost(s).

Contractor shall be reimbursed within thirty (30) days of County's receipt of complete, correct, approved invoice.

Contractor understands that the project is being funded by a Community Development Block Grant (CDBG) and agrees that all work will be performed in accordance with CDBG requirements in order to receive and retain payment for services.