



# RESOLUTION No. 23-028

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

**RESOLUTION APPROVING AMENDMENT NO. 2 TO THE PROFESSIONAL SERVICES CONTRACT BETWEEN THE COUNTY OF NEVADA AND FIRE SAFE COUNCIL OF NEVADA COUNTY FOR HMGP DR-4344 -703-150R, "NEVADA COUNTY ACCESS AND FUNCTIONAL NEEDS PROGRAM, PHASE I" INCREASING THE CONTRACT PERFORMANCE PERIOD FROM DECEMBER 31, 2022 TO FEBRUARY 28, 2023 AND INCREASING THE MAXIMUM AMOUNT FROM \$315,124.32 TO \$339,124.32 WITH THE MATCH REQUIREMENT REMAINING THE SAME, AMENDING THE OFFICE OF EMERGENCY SERVICES FISCAL YEAR 2022/23 BUDGET, AND AUTHORIZING THE CHAIR OF THE BOARD TO EXECUTE THE AMENDMENT (4/5 AFFIRMATIVE VOTE REQUIRED)**

WHEREAS, on September 28, 2021, the County of Nevada Board of Supervisors authorized the Director of Emergency Services to accept the Department of Homeland Security's Federal Emergency Management Agency (FEMA) Hazard Mitigation Grant Program (HMGP) funding for the Nevada County HMGP DR-4344-PJ703-150, "Nevada County Access and Functional Needs, Phase I" in Resolution No. 21-425; and

WHEREAS, grant funds will help mitigate the threat of wildfire by providing residents of Nevada County with defensible space assistance to reduce hazardous vegetation around their residences; and

WHEREAS, on March 8, 2022 the Board approved the contract between the County of Nevada and the Fire Safe Council of Nevada County for the HMGP DR-4344 -703-150R, "Nevada County Access and Functional Needs Program, Phase I" for the term of March 8, 2022 through December 31, 2022 for the maximum amount of \$224,606.25 with a match requirement of \$74,868.75 through Resolution 22-125; and

WHEREAS, on July 12, 2022 the Board approved the contract Amendment 1 between the County of Nevada and the Fire Safe Council of Nevada County for the HMGP DR-4344 -703-150R, "Nevada County Access and Functional Needs Program, Phase I" increasing the contract amount to \$315,124.32 and the match amount to \$99,506 through Resolution 22-410; and

WHEREAS, the deliverables of the contract consist of defensible space treatment on 45 properties that have expressed interest and been pre-inspected for eligibility and pre-qualification and pre-inspections of an additional 365 homes that would be eligible for treatment in Phase II will be completed. The treatment prescription is for the management of vegetation within 100 feet, and up to 300 ft, of structures depending on home siting, vegetation type, and overall fuel loading. In addition, as funding allows, treatment will include 10 feet along the road/driveway shoulder with a 15-foot vertical clearance for emergency equipment response; and

WHEREAS, both parties desire to amend the contract to increase the contract performance period from December 31, 2022 to February 28, 2023; and

WHEREAS, both parties desire to amend the contract to provide for increasing the contract to award funds to provide for the implementation of defensible space treatment on pre-determined properties for project Phase 1 of the program in the amount of \$24,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Nevada, State of California, that the County hereby approves Amendment No. 2 to the contract between the County of Nevada and Fire Safe Council of Nevada County for FEMA HMGP DR-4344-PJ703-150, Nevada County Access and Functional Needs Program, Phase I increasing the contract performance period from December 31, 2022 to February 28, 2023 and the maximum amount from \$315,124.32 to \$339,124.32 and authorizes the Chair of the Board to execute the Amendment, and directs the Auditor Controller to amend the Office of Emergency Services Fiscal Year 2022/23 Budget as follows:

Increase:		
0101-20702-414-1000/462400		\$24,000.00
0101-20702-414-1000/521525		\$24,000.00

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10<sup>th</sup> day of January, 2023, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward C. Scofield, Lisa Swarthout,  
Susan Hoek and Hardy Bullock.  
Noes: None.  
Absent: None.  
Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Edward C. Scofield, Chair

1/10/2023 cc: OES\*  
AC\* (Hold)

3/10/2023 cc: OES\*  
AC\*(Release)  
FSC\*

**AMENDMENT NO. 2 TO PROFESSIONAL SERVICES CONTRACT**  
With Fire Safe Council of Nevada County

**THIS AMENDMENT** is executed this 10th day of January, 2023 by and between Fire Safe Council of Nevada County and COUNTY OF NEVADA. Said Amendment will amend the prior contract between the parties related to the Access and Functional Needs Program, Phase One Scope of Work executed on March 8, 2022 by Resolution No. 22-125 and the subsequent Contract Amendment 1 executed on July 12, 2022 by Resolution No. 22-0867.

**WHEREAS**, the parties desire to amend the contract to increase the contract performance period from 12/31/2022 to 2/28/2023; and

**WHEREAS**, the parties desire to amend the contract to increase the contract amount by \$24,000.00 with no additional increase in required match amount; and

**WHEREAS**, the current scope of work already includes the tasks needed to complete the implementation of defensible space treatment on pre-determined properties for project Phase 1 and this funds that section of the contract.

**NOW, THEREFORE**, the parties hereto agree as follows:

1. This Amendment shall be effective as of January 10, 2023.
2. The performance period of the contract shall be extended to February 28, 2023.
3. That paragraph two payment total not to exceed contract amount be increased by \$24,000.00. The new contract shall not exceed \$339,124.30; the match requirement of in-kind or hard match of \$99,506.25 will remain the same.
4. That in all other respects the prior contract of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:  
COUNTY COUNSEL

COUNTY OF NEVADA

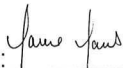
By:   
By: Kit Elliott (Mar 10, 2023 09:41 PST)

By:   
By: Ed Scofield (Mar 10, 2023 07:12 PST)  
Honorable ~~Sue Hoek~~ Ed Scofield  
Chair, of the Board of Supervisors

ATTEST:

CONTRACTOR:

By:   
Julie Patterson Hunter  
Clerk of the Board of Supervisors

By:   
Jamie Jones, Executive Director  
Fire Safe Council of Nevada County