



RESOLUTION No. 22-320

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING RENEWAL OF THE CONTRACT BETWEEN THE COUNTY OF NEVADA AND NELSON ENGINEERING FOR PROFESSIONAL SURVEYING SERVICES AND COUNTY SURVEYOR FUNCTIONS, AND AMENDING THE HOURLY RATE TERMS OF THE CONTRACT, FOR A MAXIMUM CONTRACT AMOUNT NOT-TO-EXCEED \$100,000, AND THE APPOINTMENT OF KEVIN NELSON AS COUNTY SURVEYOR FOR THE COUNTY OF NEVADA, AND STEPHEN WILLIAMS AS AN ALTERNATE COUNTY SURVEYOR

WHEREAS, by adoption of Resolution 18-308, the County entered into a personal services contract with Nelson Engineering to provide professional surveying services for County Surveyor functions for a maximum amount of \$100,000 for services from July 1, 2018, through June 30, 2019, with up to four (4) additional one-year renewals starting July 1, 2019; and

WHEREAS, the contract was renewed on June 25, 2019, to provide for services from July 1, 2019 through June 30, 2020, via Resolution 19-336; and

WHEREAS, the contract was renewed on July 14, 2020, to provide for services from July 1, 2020, through June 30, 2021, via Resolution 20-306; and

WHEREAS, the contract was renewed on June 15, 2021, to provide for services from July 1, 2021, through June 30, 2022, via Resolution 21-238; and

WHEREAS, the parties desire to renew the contract for an additional one-year term of July 1, 2022, through June 30, 2023, with a not-to-exceed contract amount of \$100,000; and

WHEREAS, the hourly rate terms of the contract shall be amended per attached Exhibit A; and

WHEREAS, staff proposes that Kevin Nelson continue to serve as the County Surveyor for the term of July 1, 2022, through June 30, 2023; and

WHEREAS, staff proposed that Mr. Stephan Williams serve as the alternate County Surveyor on behalf of Kevin Nelson as needed, and as directed by the Director of Public Works; and

WHEREAS, the expense for the contract is included in the proposed Fiscal Year 2022/23 Surveyor budget in budget code 0101-11009-711-1000/521520; and

WHEREAS, the contract is contingent upon the adoption of the Fiscal Year 2022/23 County Budget and the contract begins on July 1, 2022.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors:

1. Approves the renewal of the Personal Services Contract between the County of Nevada and Nelson Engineering and authorizes the Chair of the Board of Supervisors to execute the Contract on behalf of the County of Nevada for an amount not to exceed \$100,000 for surveying services upon receipt of Certificates of Insurance (COI) by the Director of the Department of Public Works and approval and acceptance of the COI by the Risk Manager. The contract term shall be from July 1, 2022, to June 30, 2023.
2. Approves the amended hourly rate terms of the contract per Exhibit A.
3. Appoints Kevin Nelson of Nelson Engineering as the County Surveyor for Nevada County for the period July 1, 2022, through June 30, 2023, to serve at the will and pleasure of the Board of Supervisors.
4. Appoints Mr. Stephan Williams, of Psomas Engineering as the alternate County Surveyor for the County of Nevada for the period of July 1, 2022, through June 30, 2023, to serve at the will and pleasure of the Board.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 28th day of June, 2022, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 


Susan K. Hoek, Chair

6/28/2022 cc: CDA*
AC*(hold)

8/4/2022 cc: CDA*
AC*(release)



**AMENDMENT NO. 4 TO PROFESSIONAL SERVICES
CONTRACT NO. BFS20306
FOR County Surveyor Services**

This Amendment dated 6/28/2022 by and between County of Nevada (County) and Nelson Engineering (Contractor).

This Amendment is effective as of the date this Amendment is fully executed.

WHEREAS, the County entered into a Professional Services Contract (Contract), identified below:

Original Contract/Previous Renewal	
Contractor's Full Legal Name:	Kevin J. Nelson
Contract Description:	County Surveyor Services
Contract Number	BFS20306
Beginning date of Contract:	7/1/2018
Original Contract end date:	6/30/2019
Prior Amendment date(s), Res# and reason for amendment	6/25/19 (Res#19-336) to extend 1 yr.; 7/14/20 (Res# 20-306) to extend one year change wage rates; 6/15/21 (Res# 21-238) to extend 1 yr. and change wage rates.
Current Amendment end date	6/30/2022
Number of Renewals allowed	4

WHEREAS, the parties wish to extend the Contract and have renewals remaining under the Contract;

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties do hereby agree as follows:

- CONTRACT EXTENSION.** The parties hereby agree that the contract will be extended, under the original price, terms and conditions, for an additional term as follows:

New Contract Term	
Beginning date of new Contract term:	7/1/2022
End date of new Contract term:	6/30/2023
Maximum annual Contract price of new contract term FY 22/23	100,000
Contract extension No.	4

The parties agree the contract will expire at midnight on the date defined as the "End Date of the New Contract Term" unless the parties agree to extend the contract for an additional term.

2. **ADDITIONAL CONTRACT MODIFICATIONS.** Additionally, the parties agree that the original terms will be modified as follows:

Exhibit "B": Schedule of Charges and Payments dated January 2018 shall be replaced with Exhibit "B1" Schedule of Charges and Payments dated 2021.

3. **ENTIRE AGREEMENT.** Except as expressly modified by this Amendment, the contract shall be and remain in full force and effect in accordance with its terms and shall constitute the legal, valid, binding and enforceable obligations to the parties. This Amendment and the contract (including any written amendments thereto), collectively, are the complete agreement of the parties and supersede any prior agreements or representations, whether oral or written, with respect thereto.

IN WITNESS WHEREOF, the parties have caused this Amendment to be duly executed by their authorized representatives.

For Nevada County:

Signature: _____

Date: _____

Name: _____

Sue Hoek

Title: _____

Chairman of the Board

Attest:

Signature: _____

Date: _____

Name: _____

Julie Patterson Hunter, for

Title: _____

Clerk of the Board of Supervisors

For Contractor:

Signature: _____

Date: _____

Name: _____

Kevin J Nelson

Title: _____

Principal Subcontractor



Civil Engineering, Surveying & Land Planning

Exhibit A FEE SCHEDULE

2022

Typical Base Rate to be used as County Surveyor

Hourly Rates:

Principal Civil Engineer or Land Surveyor	\$180.00
Project Engineer or Surveyor	\$150.00
Design Engineer or Survey Tech	\$130.00
Engineering Draftsman	\$110.00
Administration	\$90.00
Professional Testimony *	\$300.00

* 4-Hour minimum, preparation time per standard hourly rates listed above.

Survey Crews:

One Person w/ vehicle	\$180.00
Two Person w/ vehicle	\$220.00

Direct Expenses:

Reprographics/communications/shipping	as required
Travel	\$0.55 per mile
Per Diem	\$300.00 per person/per night