



# **RESOLUTION No. 24-429**

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

### **RESOLUTION APPROVING AMENDMENT NO. 4 TO THE CONTRACT BETWEEN THE COUNTY OF NEVADA AND KIMLEY-HORN AND ASSOCIATES, INC., FOR PROFESSIONAL ENGINEERING SERVICES FOR THE ROUGH AND READY HIGHWAY MULTIMODAL PROJECT, INCREASING THE CONTRACT AMOUNT BY \$90,884.79 FOR A NEW NOT TO EXCEED AMOUNT OF \$390,026.90 AND UPDATING THE SCOPE OF WORK - DISTRICT III**

WHEREAS, the Rough and Ready Highway Multimodal Project was previously known as the Rough and Ready Highway Intersection Improvement Project; and

WHEREAS, on August 13, 2019, the Board of Supervisors adopted Resolution 19-453, awarding a contract with Kimley-Horn and Associates, Inc. ("Kimley-Horn"), in the amount of \$299,142.11 for professional engineering services for the Rough and Ready Highway Intersection Improvement Project, with a contract term ending on December 30, 2020; and

WHEREAS, on November 10, 2020, the Board of Supervisors adopted Resolution 20-479, to extend the contract length with Kimley-Horn, from an end date of December 30, 2020 to December 30, 2022; and

WHEREAS, on December 13, 2022, the Board of Supervisors adopted Resolution 22-614, to extend the contract length with Kimley-Horn, from an end date of December 30, 2022 to December 31, 2023; and

WHEREAS, on December 5, 2023, the Board of Supervisors adopted Resolution 23-586 to extend the contract length from an end date of December 31, 2023 to June 30, 2025 and included an hourly rate update; and

WHEREAS, the Department of Public Works plans to amend the contract to include additional environmental services, as shown in Exhibit A, and increase the contract value by \$90,884.79 to a new not to exceed amount of \$390,026.90 to include these services; and

WHEREAS, funding for this amendment is \$67,827.32 in Congestion Management Air Quality (CMAQ) funds and \$23,057.47 of Local Traffic Mitigation Funds; and

WHEREAS, sufficient budget is available to fund this contract in budget account 1114-30154-702-1000/540711; and

WHEREAS, in all other respects the prior Agreement of the parties shall remain in full force and effect.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors approves Amendment No. 4 to the Personal Services Contract by and between the County of Nevada and Kimley-Horn and Associates, Inc., increasing the contract amount by \$90,884.79 to a new not to exceed amount of \$390,026.90 for additional environmental services and provide design services for the Rough and Ready Highway Intersection Improvement Project, in the form attached hereto as Exhibit A, and the Chair of the Board of Supervisors is hereby authorized to execute the Amendment.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 6th day of August 2024, 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.

Recuse: None.

ATTEST:

TINE MATHIASSEN  
Chief Deputy Clerk of the Board of Supervisors

By: CSun, Deputy CoB

MSB

Hardy Bullock, Chair

**AMENDMENT NO. 4 TO THE CONTRACT WITH  
KIMLEY-HORN AND ASSOCIATES, INC.**

THIS AMENDMENT is executed this 6<sup>th</sup> day of August, 2023, by and between KIMLEY-HORN AND ASSOCIATES, INC., and COUNTY OF NEVADA. Said Amendment will amend the prior agreement between the parties entitled "Professional Engineering Services for the Rough and Ready Highway Intersection Improvement Project" executed on August 13, 2019, by Resolution No. 19-453.

WHEREAS, the parties desire to amend their agreement; and

WHEREAS, this amendment shall be effective when signed by both parties.

NOW, THEREFORE, the parties hereto agree as follows:

1. Include the additional environmental services as shown in Exhibit A.
2. Increase the contract amount to \$390,026.90.
3. That in all other respects the prior agreement of the parties shall remain in full force and effect except as amended herein.

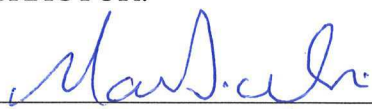
COUNTY OF NEVADA

BY:   
Chair, Board of Supervisors

ATTEST:

By:   
Clerk of the Board of Supervisors

CONTRACTOR:

By:   
Matthew D. Jeff, P.E.  
Vice President  
P.E. No. C70216

## **Exhibit A**

### **Nevada County**

#### **Engineering and Design for Rough and Ready Highway Multimodal Project**

##### **Scope of Services – Amendment 4**

The following are the primary assumptions upon which this Amendment No. 4 Scope of Services and Fee Proposal are based. Any deviation from these assumptions may necessitate a contract amendment.

##### **Environmental Services:**

Based on the review of the Preliminary Environmental Study (PES) from Caltrans, several scope items required revisions to prepare more extensive reports.

- Air Quality – A construction level technical memo for air quality and noise was included in the original scope. Caltrans has since requested a full air quality report.
- Hazardous Materials – A technical memo that summarizes the results of GeoTracker and Envirostor database searches was included in the original scope. Caltrans has since requested that an Initial Site Assessment and soil testing for Aerial Deposited Lead (ADL) be prepared.
- Wetlands – We assume that no wetland areas will be impacted. Based on this assumption, no wetland delineation reports are included in this project. Wetland permitting is included as an optional task in the event that project changes result in the need for wetland permits.
- Since the biological studies were last submitted, the U.S. Fish and Wildlife Service (USFWS) has listed foothill yellow-legged frog as Endangered, and listed both monarch butterfly and western pond turtle as Candidates for Listing under the Federal Endangered Species Act. Therefore, the Project will require Section 7 consultation with the USFWS.
- With the new species listings, a Biological Assessment for Section 7 consultation will be required. As such, this scope includes a Biological Assessment to address federally listed species with potential to occur in the project area (foothill yellow-legged frog, monarch butterfly, and western pond turtle).

The cultural resources report was completed and approved by Caltrans. However, the Native American consultation process was not completed, pending a potential redesign at the time. This scope of work includes meeting and coordination time to close the Native American Consultation process with the UAIC Tribe.

# Amendment No. 4 Fee Schedule

Current Contract Value

\$299,142.11

Added Costs per task

<b>Task 2:</b>	<b>Environmental Services</b>	0	0	60	0	22	0	15	0	54	0	0	151	\$	33,070.09
2.1	PFS Form and APS Map												0	\$	-
2.2	Technical Study Work Program														
	Task 2.2.1 Air Quality Technical Memo			2		18		10		24			54	\$	11,003.85
	Task 2.2.2 Noise Technical Memo			2		4		5		30			41	\$	6,776.00
	Task 2.2.3 Initial Site Assessment (ISA)			6									6	\$	1,638.24
	Task 2.2.4 Biological Resources Natural Environmental Study/Biological Assessment			6									6	\$	1,638.24
	Task 2.2.5 Cultural Resources Report			4									4	\$	1,093.16
2.3	Environmental Coordination and Meeting Attendance			40									40	\$	10,921.60

<b>Task 7:</b>	<b>Optional Tasks</b>														
7.1	Biological Permitting Assistance	4	4	4			30	60		30			132	\$	26,989.37
7.2	CEQA Documentation (S/MND)	4	4	20				60		80			168	\$	30,825.12
	<b>Subtotal Optional:</b>													\$	57,814.70

Subtotal of Added Costs

\$90,884.79

New Contract Value

\$390,026.90