



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION APPROVING AMENDMENT NO. 1 TO THE CONTRACT BETWEEN THE COUNTY OF NEVADA AND MCKELLAR TREE SERVICE AND LOGGING, INC., FOR PROFESSIONAL SERVICES FOR THE EGRESS/INGRESS FIRE SAFETY PROJECT, AMENDING THE SCOPE OF SERVICE, EXTENDING THE TERM OF THE CONTRACT TO DECEMBER 30, 2022, AND INCREASING THE AMOUNT OF THE CONTRACT TO A NEW MAXIMUM AMOUNT NOT TO EXCEED \$966,600.01 AND AUTHORIZING THE AUDITOR-CONTROLLER TO ENCUMBER THE ADDITIONAL FUNDS

WHEREAS, on February 9, 2021, the Board of Supervisors adopted Resolution 21-031 awarding a contract to McKellar Tree Service and Logging Inc., in the amount of \$666,600.01 for brush clearing and reduction of fire fuels along approximately 162 mile of county roadways as part of the Egress/Ingress Fire safety Project.; and

WHEREAS, the project was nearing completion prior to the December 2021 storms. During the December 2021 storms, many trees and limbs within the County right-of-way were damaged and additional branches/trees fell in the County right-of-way and need to be removed as part of the County's fire prevention program; and

WHEREAS, storms in December 2021 left debris in the County Right-of-way and there remains a significant number of down trees and vegetation throughout the County which needs to be removed. Staff recommends amending the existing contract from \$666,600.01 to \$966,600.01 to remove excess debris prior to the start of fire season; and

WHEREAS, an emergency proclamation was ratified on December 30, 2021, in an emergency Board of Supervisors meeting by Resolution 21-541. The Local Emergency Proclamation enables Nevada County to more effectively respond to the Winter Storm, seek and utilize mutual aid, obtain state and federal funds (if available), and ensure that the County's resources and economy, as well as the community at large, have all the necessary tools at their disposal to endure this ongoing challenge; and

WHEREAS, the State of California declared an emergency on December 30, 2021, in support of Counties recovering from the Winter Storms; and

WHEREAS, the County received an additional Grant 5GA2115 from Cal Fire to fund the proposed additional debris removal; and

WHEREAS, this amendment request is for an additional \$300,000 to provide said services, extending the contract end date from March 31, 2021, to December 30, 2022; and

WHEREAS, \$240,000 (80%) of cost will be reimbursed by the Cal Fire Storm Debris/Stockpile and Tree Removal Grant 5GA21115 and the remaining \$60,000 (20%) of cost will initially be funded by the Road Engineering budget; and

WHEREAS, County staff will continue to explore reimbursement opportunities through the California Disaster Assistance Act and any unreimbursed portion may later be compensated to the Road Fund by the General Fund; and

WHEREAS, sufficient budget available to fund this contract amendment in Road Engineering for Fiscal Year 2021-22.

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

1. Approves Amendment No. 1, attached hereto, to the contract by and between the County of Nevada and McKellar Tree Service and Logging, Inc., amending the scope of services, increasing the contact amount by \$300,000 for a maximum not to exceed amount of \$966,600.01 and extending the contract length to an end date of December 30, 2022.
2. Authorizes the Chair of the Board of Supervisors to execute on behalf of Nevada County Amendment No. 1.
3. Authorizes the Auditor-Controller to encumber the contract:
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