



RESOLUTION No. 19-414

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION ACCEPTING FUNDS UP TO \$25,000 PER AGREEMENT NUMBER 6018-006 AND UP TO \$25,000 PER AGREEMENT NUMBER 6018-007 FROM THE CALIFORNIA DEPARTMENT OF CONSERVATION, DIVISION OF MINE RECLAMATION (DMR)

WHEREAS, the California Department of Conservation, Division of Mine Reclamation (DMR) provides funding to local agencies for the closure of historic abandoned mine features; and

WHEREAS, these funds are generated from remediation of mines in California; and

WHEREAS, two historic abandoned mine features subsided on La Barr Meadows Road; and

WHEREAS, DMR entered into Standard Agreement Number 6018-006 (attached as Exhibit A) for reimbursement of up to \$25,000 for one historic abandoned mine feature and Standard Agreement Number 6018-007 (attached as Exhibit B) for reimbursement of up to \$25,000 for a second historic abandoned mine feature; and

WHEREAS, a there is sufficient budget in the Fiscal Year 2018/19 Road Maintenance budget to cover the costs of the repairs made; and

WHEREAS, funds, when received, will be deposited into: 1114-30107-703-100/445090.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Nevada County Board of Supervisors authorizes the Chair of the Board of Supervisors to accept up to \$50,000 in funding received from the DMR.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 23rd day of July, 2019, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By: 



Richard Anderson, Chair

EXHIBIT A

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 02/2019)

AGREEMENT NUMBER

6018-006

PURCHASING AUTHORITY NUMBER (If Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

California Department of Conservation, Division of Mine Reclamation (DMR)

CONTRACTOR NAME

County of Nevada

RECEIVED

2. The term of this Agreement is:

START DATE

June 13, 2019, or upon Department approval, whichever is later

JUN 14 2019

THROUGH END DATE

July 15, 2019

**DEPARTMENT OF CONSERVATION
DIVISION OF MINE RECLAMATION**

3. The maximum amount of this Agreement is:

\$25,000.00 (Twenty Five Thousand dollars and zero cents).

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	2
Exhibit B	Budget Detail and Payment Provisions	3
Exhibit C *	General Terms and Conditions (04/2017)	0

Items shown with an asterisk (*), are hereby incorporated by reference and made part of this agreement as if attached hereto. These documents can be viewed at <https://www.dgs.ca.gov/OLS/Resources/Page-Content/Office-of-Legal-Services/Resources/List-Folder/Standard-Contract-Language>

IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

CONTRACTOR

CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

County of Nevada

CONTRACTOR BUSINESS ADDRESS

950 Maidu Avenue

CITY

Nevada City

STATE

CA

ZIP

95959

PRINTED NAME OF PERSON SIGNING

Steve Monaghan

TITLE

Chief Information Officer

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

6-13-19

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

California Department of Conservation, Division of Mine Reclamation (DMR)

CONTRACTING AGENCY ADDRESS

801 K Street, MS 22-11

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Clayton Haas

TITLE

Assistant Director, Division of Administration

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

6/13/19

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)

APPROVED

JUN 21 2019

OFFICE OF LEGAL SERVICES
DEPT. OF GENERAL SERVICES

EXHIBIT A
SCOPE OF WORK

Background

A historic abandoned mine feature opened up under a public county roadway in Grass Valley, Nevada County. There are no stormwater drains or sewers under the road that could be causing the subsidence. The feature consists of an approximately 3' diameter hole in one lane with a 2' to 3' vertical void under the asphalt of the roadway. The road must be excavated to determine the extent of the mine feature; however, the bottom of the mine feature was detected at approximately 8' down at approximately 40 degrees, then an additional estimated 5' down in another direction.

Overview

Due to the risk of public exposure, the California Department of Conservation ("Department") will provide financial assistance to County of Nevada for the closure of the abandoned mine feature based on emergency services per State Contracting Manual Volume 1 Section 3.10. County of Nevada will contract with a qualified company to remediate the shaft as per the engineering design provided by NV5 Geotechnical Engineers and approved by the County Civil Engineer. The Department will reimburse Nevada County for contractor expenses up to \$25,000.00 to remediate the abandoned mine feature in the roadway in Nevada County.

County of Nevada will give the Department at least one days' notice before the construction begins. County of Nevada releases liability for the State of California, Department of Conservation with regards to this mine shaft remediation project.

The services shall be performed in the public road at 11674 LaBarr Meadows Road in Grass Valley, CA.

The term of this agreement is from June 13, 2019, or upon Department approval, whichever is later to July 15, 2019.

The project representatives during the term of this agreement will be:

State Agency: Department of Conservation Division of Mine Reclamation	Contractor: County of Nevada
Name: Cy R. Oggins	Name: Trisha M. Tillotson, P.E.
Phone: (916) 322-2229	Phone: (530) 265-1718
Email: cy.oggin@conservation.ca.gov	Email: trisha.tillotson@co.nevada.ca.us

Direct all inquiries to:

State Agency: Department of Conservation	Contractor: Nevada County
Section/Unit: Division of Mine Reclamation	Section/Unit: Public Works
Attention: Stephanie Sherlock	Attention: Trisha M. Tillotson
Address: 801 K Street, MS 09-06, Sacramento, CA 95814	Address: 950 Maidu Avenue Nevada City, CA 95959
Phone: (916) 322-4143	Phone: (530) 265-1718
Fax: (916) 445-6066	Fax: (530) 265-9849
Email: stephanie.sherlock@conservation.ca.gov	Email: trisha.tillotson@co.nevada.ca.us

Specific Requirements

- A. County of Nevada will contract with a qualified company to remediate the shaft as per the engineering design provided by NV5 Geotechnical Engineers and approved by the County Civil Engineer.
- B. County of Nevada shall provide the Department a copy of the field exploration data, a letter report summarizing findings and recommendation, and an as-built drawing detailing the completed closure at the time of invoicing or before.
- C. County of Nevada shall provide photos taken at significant stages during the excavation of the area; before, during, and after the concrete pour; and after the project is complete at the time of invoicing or before.
- D. County of Nevada shall to provide proof or receipt or invoices that work was performed and completed by Contractor before or at the time of invoicing.

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. County of Nevada shall submit three (3) copies of the invoice to the Department upon successful completion of the remediation of the mineshaft. The Department agrees to reimburse Nevada County for contractor expense up to \$25,000.00.

This is a one time payment, in arrears.

- B. The County of Nevada shall submit a one-time invoice for payment, in arrears to:

California Department of Conservation

Division of Mine Reclamation

801 K Street, MS 09-06

Sacramento, California 95814

ATTN: Stephanie Sherlock

- C. An acceptable invoice must include:

- Nevada County's name and address
- Department's name and address
- Department agreement number
- Appropriate itemization, including date(s) for service

- D. The Department will verify and approve, or disapprove, the invoiced item(s). If the Department does not approve the invoiced item(s), the Department will dispute the invoice, per Prompt Payment Act, and provide opportunity to the Contractor to resolve the dispute.

2. Budget Contingency Clause

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State may be unable to close abandoned mine openings and shall have no liability to pay any funds whatsoever to Contractor or to furnish any other considerations under this Agreement and Contractor shall not be obligated to perform any provisions of this Agreement.

If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to Contractor to reflect the reduced amount.

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

BUDGET DETAIL

Description	Maximum Allowable Cost
Closure and remediation of abandoned mine feature in Nevada County.	Up to \$25,000.00

EXHIBIT B

STATE OF CALIFORNIA - DEPARTMENT OF GENERAL SERVICES

STANDARD AGREEMENT

STD 213 (Rev. 02/2019)

AGREEMENT NUMBER

6018-007

PURCHASING AUTHORITY NUMBER (If Applicable)

1. This Agreement is entered into between the Contracting Agency and the Contractor named below:

CONTRACTING AGENCY NAME

California Department of Conservation, Division of Mine Reclamation (DMR)

CONTRACTOR NAME

County of Nevada

2. The term of this Agreement is:

START DATE

June 20, 2019, or upon Department approval, whichever is later

THROUGH END DATE

July 15, 2019

3. The maximum amount of this Agreement is:

\$25,000.00 Twenty five thousand dollars and zero cents.

4. The parties agree to comply with the terms and conditions of the following exhibits, which are by this reference made a part of the Agreement.

EXHIBITS	TITLE	PAGES
Exhibit A	Scope of Work	2
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Exhibit C *	General Terms and Conditions (04/2017)	0

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IN WITNESS WHEREOF, THIS AGREEMENT HAS BEEN EXECUTED BY THE PARTIES HERETO.

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CONTRACTOR NAME (if other than an individual, state whether a corporation, partnership, etc.)

County of Nevada

CONTRACTOR BUSINESS ADDRESS

950 Maidu Avenue

CITY

Nevada City

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CA

ZIP

95959

PRINTED NAME OF PERSON SIGNING

Steve Monaghan

TITLE

Chief Information Officer

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

6-21-19

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

California Department of Conservation, Division of Mine Reclamation (DMR)

CONTRACTING AGENCY ADDRESS

801 K Street, MS 22-11

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Clayton Haas

TITLE

Assistant Director, Division of Administration

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

6/21/19

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)
SCM Vol. 1 4.04 (A)(2)

STANDARD AGREEMENT

STD 213 (Rev. 02/2019)

AGREEMENT NUMBER

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County of Nevada

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Steve Monaghan

TITLE

Chief Information Officer

CONTRACTOR AUTHORIZED SIGNATURE

DATE SIGNED

STATE OF CALIFORNIA

CONTRACTING AGENCY NAME

California Department of Conservation, Division of Mine Reclamation (DMR)

CONTRACTING AGENCY ADDRESS

301 K Street, MS 22-11

CITY

Sacramento

STATE

CA

ZIP

95814

PRINTED NAME OF PERSON SIGNING

Clayton Haas

TITLE

Assistant Director, Division of Administration

CONTRACTING AGENCY AUTHORIZED SIGNATURE

DATE SIGNED

CALIFORNIA DEPARTMENT OF GENERAL SERVICES APPROVAL

EXEMPTION (If Applicable)
SCM Vol. 1 4:04 (A)(2)

EXHIBIT A

SCOPE OF WORK

Background

On June 17, 2019, County of Nevada ("County") Department of Public Works staff notified the California Department of Conservation ("Department"), Division of Mine Reclamation that County staff had discovered a historic abandoned mine feature opening (subsidence) on the shoulder of a public county road, La Barr Meadows Road, in Grass Valley, Nevada County. There are no storm water drains or sewers under the road that could cause the subsidence. This opening is approximately 0.5 mile south of an earlier reported abandoned mine feature subsidence (adjacent to 11674 La Barr Meadows Road), associated with the historic Diamond Mine.

The new subsidence is located at 12270 La Barr Meadows Road. A square hole was cut in the asphalt at the white line on the western shoulder of the road to expose the feature. The feature is a void extending about 5' east toward the northbound lane and is about 4' deep. There is loose, unconsolidated soil, sand, and asphalt on the bottom of the void. The majority of the existing asphalt pavement of the southbound lane is unsupported above the subsidence. The road must be excavated to determine the extent of the feature.

Upon mutual consent, the Department and the County may execute amendments to this Agreement to accommodate additional time needed. A variation of the terms (i.e. change in project representative) requires mutual consent from the Department and County and may be done through email. No verbal understanding, or agreement not incorporated into this Agreement is binding on either party.

Overview

Due to the risk of public exposure, the Department will provide financial assistance to the County for the closure of the abandoned mine feature. The County will contract with a qualified company to remediate the shaft as per the engineering design provided by NV5 Geotechnical Engineers and approved by the County Civil Engineer. The Department will reimburse the County for expenses up to \$25,000.00 to remediate the abandoned mine feature in the roadway in Nevada County.

The County will give the Department at least one days' notice before the construction begins. The County releases liability for the State of California, Department of Conservation with regards to this mine shaft remediation project.

The services shall be performed in the public road at 12270 La Barr Meadows Road in Grass Valley, CA.

The term of this agreement is from June 20, 2019 to July 15, 2019.

The project representatives during the term of this agreement will be:

State Agency: Department of Conservation Division of Mine Reclamation	Contractor: County of Nevada
Name: Cy R. Oggins	Name: Trisha M. Tillotson, P.E.
Phone: (916) 322-2229	Phone: (530) 265-1718
Email: cy.oggins@conservation.ca.gov	Email: trisha.tillotson@co.nevada.ca.us

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Section/Unit: Division of Mine Reclamation	Section/Unit: Public Works
Attention: Stephanie Sherlock	Attention: Trisha M. Tillotson
Address: 801 K Street, MS 09-06, Sacramento, CA 95814	Address: 950 Maidu Avenue Nevada City, CA 95959
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Fax: (916) 445-6066	Fax: (530) 265-9849
Email: stephanie.sherlock@conservation.ca.gov	Email: trisha.tillotson@co.nevada.ca.us

Specific Requirements

- A. County will contract with a qualified company to remediate the shaft as per the engineering design provided by NV5 Geotechnical Engineers and approved by the County Civil Engineer.
- B. County shall provide the Department a copy of the field exploration data, a letter report summarizing findings and recommendation, and an as-built drawing detailing the completed closure at the time of invoicing or before.
- C. County shall provide photos taken at significant stages during the excavation of the area; before, during, and after the concrete pour; and after the project is complete at the time of invoicing or before.
- D. County shall provide proof or receipt or invoices that work was performed and completed by their contractor at the time of invoicing or before.

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. The County shall submit 3 copies of the invoice to the Department upon successful completion of the remediation of the mineshaft. The Department agrees to reimburse County for expenses up to \$25,000.00.

This is a one-time payment, in arrears.

- B. The County of Nevada shall submit a onetime invoice for payment, invoiced to

California Department of Conservation

Division of Mine Reclamation

801 K Street, MS 09-06

Sacramento, California 95814

ATTN: Stephanie Sherlock

- C. An acceptable invoice must include:

- The County's name and address
- Department's name and address
- Department agreement number
- Appropriate itemization, include date(s) for service

- D. The Department will verify and approve, or disapprove, the invoiced item(s). If the Department does not approve the invoiced item(s), the Department will dispute the invoice, per Prompt Payment Act, and provide opportunity to the County to resolve the dispute.

2. Budget Contingency Clause

It is mutually agreed that if the Budget Act of the current year and/or any subsequent years covered under this Agreement does not appropriate sufficient funds for the program, this Agreement shall be of no further force and effect. In this event, the State may be unable to close abandoned mine openings and shall have no liability to pay any funds whatsoever to the County or to furnish any other considerations under this Agreement and the County shall not be obligated to perform any provisions of this Agreement.

If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to the County to reflect the reduced amount.

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

BUDGET DETAIL

Description	Maximum Allowable Cost
Closure and remediation of abandoned mine feature in Nevada County.	Up to \$25,000.00

EXHIBIT A

SCOPE OF WORK

Background

On June 17, 2019, County of Nevada ("County") Department of Public Works staff notified the California Department of Conservation ("Department"), Division of Mine Reclamation that County staff had discovered a historic abandoned mine feature opening (subsidence) on the shoulder of a public county road, La Barr Meadows Road, in Grass Valley, Nevada County. There are no storm water drains or sewers under the road that could cause the subsidence. This opening is approximately 0.5 mile south of an earlier reported abandoned mine feature subsidence (adjacent to 11674 La Barr Meadows Road), associated with the historic Diamond Mine.

The new subsidence is located at 12270 La Barr Meadows Road. A square hole was cut in the asphalt at the white line on the western shoulder of the road to expose the feature. The feature is a void extending about 5' east toward the northbound lane and is about 4' deep. There is loose, unconsolidated soil, sand, and asphalt on the bottom of the void. The majority of the existing asphalt pavement of the southbound lane is unsupported above the subsidence. The road must be excavated to determine the extent of the feature.

Upon mutual consent, the Department and the County may execute amendments to this Agreement to accommodate additional time needed. A variation of the terms (i.e. change in project representative) requires mutual consent from the Department and County and may be done through email. No verbal understanding, or agreement not incorporated into this Agreement is binding on either party.

Overview

Due to the risk of public exposure, the Department will provide financial assistance to the County for the closure of the abandoned mine feature. The County will contract with a qualified company to remediate the shaft as per the engineering design provided by NV5 Geotechnical Engineers and approved by the County Civil Engineer. The Department will reimburse the County for expenses up to \$25,000.00 to remediate the abandoned mine feature in the roadway in Nevada County.

The County will give the Department at least one days' notice before the construction begins. The County releases liability for the State of California, Department of Conservation with regards to this mine shaft remediation project.

The services shall be performed in the public road at 12270 La Barr Meadows Road in Grass Valley, CA.

The term of this agreement is from June 20, 2019 to July 15, 2019.

The project representatives during the term of this agreement will be:

State Agency: Department of Conservation Division of Mine Reclamation	Contractor: County of Nevada
Name: Cy R. Oggins	Name: Trisha M. Tillotson, P.E.
Phone: (916) 322-2229	Phone: (530) 265-1718
Email: cy.oggin@conservation.ca.gov	Email: trisha.tillotson@co.nevada.ca.us

Direct all inquiries to:

State Agency: Department of Conservation	Contractor: Nevada County
Section/Unit: Division of Mine Reclamation	Section/Unit: Public Works
Attention: Stephanie Sherlock	Attention: Trisha M. Tillotson
Address: 801 K Street, MS 09-06, Sacramento, CA 95814	Address: 950 Maidu Avenue Nevada City, CA 95959
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Fax: (916) 445-6066	Fax: (530) 265-9849
Email: stephanie.sherlock@conservation.ca.gov	Email: trisha.tillotson@co.nevada.ca.us

Specific Requirements

- A. County will contract with a qualified company to remediate the shaft as per the engineering design provided by NV5 Geotechnical Engineers and approved by the County Civil Engineer.
- B. County shall provide the Department a copy of the field exploration data, a letter report summarizing findings and recommendation, and an as-built drawing detailing the completed closure at the time of invoicing or before.
- C. County shall provide photos taken at significant stages during the excavation of the area; before, during, and after the concrete pour; and after the project is complete at the time of invoicing or before.
- D. County shall provide proof or receipt or invoices that work was performed and completed by their contractor at the time of invoicing or before.

EXHIBIT B

BUDGET DETAIL AND PAYMENT PROVISIONS

1. Invoicing and Payment

- A. The County shall submit 3 copies of the invoice to the Department upon successful completion of the remediation of the mineshaft. The Department agrees to reimburse County for expenses up to \$25,000.00.

This is a one-time payment, in arrears.

- B. The County of Nevada shall submit a onetime invoice for payment, invoiced to:

California Department of Conservation

Division of Mine Reclamation

801 K Street, MS 09-06

Sacramento, California 95814

ATTN: Stephanie Sherlock

- C. An acceptable invoice must include:

- The County's name and address
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- Department agreement number
- Appropriate itemization, include date(s) for service

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If funding for any fiscal year is reduced or deleted by the Budget Act for purposes of this program, the State shall have the option to either cancel this Agreement with no liability occurring to the State, or offer an agreement amendment to the County to reflect the reduced amount.

3. Prompt Payment Clause

Payment will be made in accordance with, and within the time specified in, Government Code Chapter 4.5, commencing with Section 927.

BUDGET DETAIL

Description	Maximum Allowable Cost
Closure and remediation of abandoned mine feature in Nevada County.	Up to \$25,000.00