

**AMENDMENT NO. 1 TO THE CONTRACT WITH FIRE SAFE COUNCIL OF NEVADA
COUNTY (RESO 19-419)**

THIS AMENDMENT is executed this 13th day of August, 2019 by and between Fire Safe Council of Nevada County and County of Nevada (herin "County"). Said Amendment will amend the prior agreement between the parties entitled Fuels Reduction Services - Ponderosa West Grass Valley Defense Zone Project executed on July 23, 2019, per Resolution No. 19-419.

WHEREAS, cultural and biological surveys as part of the environmental review services are required to be completed on each property subject to the fuels reduction services under this Agreement; and

WHEREAS, the parties desire to amend their agreement to include the provision of Environmental Review Services not to exceed \$39,729.00, resulting in a new maximum contract amount of \$979,900, for the period of July 23, 2019 through March 30, 2022.

NOW, THEREFORE, the parties hereto agree as follows:

1. That this amendment shall be effective as of August 13, 2019.
2. That the Schedule of Services, Exhibit "A" Scope of Work item 1.f is amended and replaced in its entirety as follows:

- f. Contractor shall have Cultural and Biological studies completed on the Project area. Contractor shall be required to complete field reconnaissance surveys on each parcel subject to fuels reduction services under this Agreement, and shall, upon request of County, provide copies of each required field reconnaissance survey within 7 days of completion. Contractor shall maintain all environmental services records for a minimum of 5 years from the date of termination of this Agreement.

Contractor shall incorporate any/all environmental protective measures recommended in these studies prior to the commencement of any fuels reduction services. In addition, Contractor is responsible for following all California Environmental Quality Act (CEQA) findings which include Best Management Practices outlined by CAL FIRE for the 35 identified Emergency Projects as well as guidance from the California Natural Resources Agency and California Environmental Protection Agency. A letter from California Natural Resources, dated April 10, 2019, which is attached hereto and incorporated herein as "Exhibit A Attachment 6," includes detailed environmental protective measures and Best Management practices which Contractor shall follow in furtherance of the fuels reduction services to be provided herein.

No physical work shall be conducted on any property within the project area until a Notice to Proceed is issued by the County. If Contractor proceeds with any physical fuels reduction services prior to the issuance of the Notice to Proceed, Contractor shall not be reimbursed for such services.

3. That the Schedule of Charges and Payments, Exhibit "B" is amended and replaced in its entirety as attached hereto and incorporated herein.
 4. That the Ponderosa West Grass Valley Defense Zone Priority Project Budget, Exhibit "B" Attachment 1 is amended and replaced in its entirety as attached hereto and incorporated herein.

5. That in all other respects the prior agreement 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: _____
Honorable Richard Anderson
Chair of the Board of Supervisors

ATTEST:

CONTRACTOR:

By: _____
Julie Patterson Hunter
Clerk of the Board of Supervisor

By: _____

EXHIBIT "B"
SCHEDULE OF CHARGES AND PAYMENTS

1. Invoicing and Payment

- A. For services satisfactorily completed in accordance with the terms and conditions stated herein, and upon receipt and approval of the invoice(s), the County agrees to compensate the Contractor for actual expenditures incurred up to the maximum Contract amount of \$979,900 which is the calculated amount involving Direct (H 1) and Indirect Costs (H 2) for Fire Safe Council responsibilities regarding the Ponderosa West Grass Valley Defense Zone Priority Project as identified below and on the Exhibit B Attachment 1.

1. Item A.3 – Coordination Fire Safe Council at a total of \$3,125
2. Item A.4 – Coordination of Environmental Review at a total of \$7,200.00.
3. Item C.2 – Contractual Obligations pertaining to hiring of a Registered Professional Forester, Mastication & Chipping, and other authorized prescription, at a total of \$822,046.
4. Item C.3 – Environmental Review at a total of \$32,529.00.
5. Item I.1 – Indirect Costs of \$115,000

As this project develops into the large scale operations phase, this contract may, upon mutual agreement of the Parties, be amended to include Ponderosa West Grass Valley Defense Zone Main Project Items. The amount of \$979,900 includes the maximum amount of monies for these 300 acres of fuels reduction services within the Ponderosa West Grass Valley Defense Zone Priority Project, ending on 3/30/2022.

- B. The Contractor shall submit, in arrears, not more frequently than once a month, and no less than quarterly, an invoice to County of Nevada for cost incurred pursuant to the agreement. In addition, each invoice shall contain the following information:
1. The Cal Fire agreement number (8CA04542).
 2. The dates or time-period which the invoiced costs were incurred.
 3. Description of service, quantity, rate, and total for the current invoice.
 4. Certified Small Business or DVBE #.

At the execution of Amendment #1 pertaining to Environmental Review responsibilities the Contractor will receive in full \$39,729.00 to provide these services. Contractor is required to track and provide evidence of all costs related to the environmental services in a manner acceptable to County. Any excess funds advanced for environmental review services will be reimbursed to County, or used to offset other project-related costs upon approval of County.

- C. Invoice(s) shall be submitted to:
- County of Nevada Emergency Services
Attention: Program Manager
950 Maidu Ave.
Nevada City, CA 95959

EXHIBIT "B", Attachment 1
PONDEROSA WEST GRASS VALLEY DEFENSE ZONE PRIORITY PROJECT BUDGET

A. Salaries and Wages		
1	Grant Management (Fire Safe Council) - Amount includes matching requirement	\$ -
2	Grant Management (County of Nevada) - Amount includes matching requirement	\$ 7,600.00
3	Coordination - Fire Safe Council - Amount includes matching requirement	\$ 3,125.00
4	Coordination Environmental Review - Fire Safe Council - Amount includes matching requirement	\$ 7,200.00
Sub-Total Salaries and Wages: (Amount includes matching requirement)		\$ 17,925.00
B. Employee Benefits		
1	Grant Management-Fire Safe Council - Amount includes matching requirement	\$ -
2	Grant Management (County of Nevada) - Amount includes matching requirement	\$ 3,600.00
3	Coordination-Fire Safe Council - Amount includes matching requirement	\$ -
4	Coordination (County of Nevada)- Amount includes matching requirement	\$ 3,900.00
Sub-Total Employee Benefits:		\$ 7,500.00
C. Contractual		
1	Registered Professional Forester (Fire Safe Council) - No Match Required - Ponderosa Main	\$ -
2	Mastication & Chipping (Fire Safe Council) - No Match Required - Ponderosa Priority - Priority includes Forrester and all Contract services	\$ 822,046.00
3	Environmental Review (Fire Safe Council) - No Match Required	\$ 32,529.00
Sub-Total Contractual:		\$ 854,575.00
D. Travel & Per Diem:		
1		\$ -
2		\$ -
3		\$ -
Sub-Total Travel & Per Diem:		\$ -
E. Supplies		
1		\$ -
2		\$ -
3		\$ -
Sub-Total Supplies:		\$ -
F. Equipment		
1	Vermeer BC1000XL Brush Chipper (County of Nevada) - No Match Required	\$ -
2		\$ -
3		\$ -
Sub-Total Equipment:		\$ -
G. Other Costs		
1		\$ -
2		\$ -
3		\$ -
Sub-Total Other Costs		\$ -
H. Sum of Direct Costs (Inc Equipment)		
1	Fire Safe Council	\$ 825,171.00
2	County of Nevada	\$ 54,829.00
Sub-Total Other Costs		\$ 880,000.00
I. Indirect Costs (Excluding Equipment)		
1	Fire Safe Council	\$ 115,000.00
2	County of Nevada	\$ 5,000.00
Sub-Total Other Costs		\$ 120,000.00
Total Grant Proposed Costs (Including Match)		\$ 1,000,000