



A Tradition of Stewardship
A Commitment to Service

Agenda Date: 6/16/2015

Agenda Placement: 6H

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors

FROM: Steven Lederer - Director of Public Works
Public Works

REPORT BY: Richard Thomasser, Watershed and Flood Control Operations Manager - (707)259-8657

SUBJECT: Amendment No. 1 to Professional Services Agreement AUD-7023 with Associated Right-of-Way Services

RECOMMENDATION

Director of Public Works requests approval of and authorization for the Chair to sign Amendment No. 1 to an Agreement (formerly AUD No. 7023) with Associated Right of Way Services, Inc., of Pleasant Hill, CA, increasing the maximum compensation by \$50,000 to \$100,000 and extending the term through June 30, 2016 for right of way services for the County on an as-needed basis.

EXECUTIVE SUMMARY

Professional Services Agreement No. AUD-7023 was originally approved by the Purchasing Agent for right-of-way services required for various capital improvement projects during Fiscal Year 2014-2015. Right-of-way services are required in certain airport, building and road capital improvement projects, and other County property matters. The maximum amount of compensation has been reached and Staff requests approval of the subject amendment to the contract so appraisal services can continue as needed. ARWS is not a local vendor and there is not a local vendor available with the appropriate certifications to perform the services needed.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Public Works Roads

Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Various County capital improvement projects and other County property matters require right-of-way services. The Right-of-Way activities must be performed by qualified personnel.
Is the general fund affected?	Yes
Future fiscal impact:	Funds will be included in the budgets utilizing its service.
Consequences if not approved:	Right-of-way services will not be provided and the necessary acquisitions and projects cannot move forward.
Additional Information:	

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Right-of-Way services is a critical element in property appraisal and acquisition, and in the the delivery of certain capital improvement projects by the Department of Public Works. Procedures outlined by state or federal agencies such as CalTrans for Federal Highway Administration (FHWA) and the Federal Aviation Administration (FAA) require that the right of way activities for projects they fund be performed by a qualified agency, which Napa County is not, therefore outside firms are hired to perform the services. Caltrans had indicated that very few private firms are certified by these federal agencies and informed staff that in the general Napa area, only ARWS was certified as required. A couple of local jurisdictions, Marin and Alameda Counties, are certified but due to their own workloads have declined to assist when approached in the past. ARWS has indicated that they are available to assist the County as needed. Often when the services are required time is of the essence. Having a certified firm under contract will facilitate a timely process. Not only is ARWS certified to perform such services, it is experienced with government code offers, and has the experience of dealing with right-of-way acquisitions in a variety of settings from acquisitions of single parcels to acquisitions needed for the completion of large projects such as the Napa River/Napa Creek Flood Protection Project.

Services to be provided as needed may include appraisal of properties, independent review of appraisals provided by others, assistance with negotiations, relocation assistance, document preparation, and court support.

The maximum dollar amount provided in the original contract has been reached and additional services are needed for the current and coming fiscal year. The services will be funded by the specific project or issue for which the services are rendered. Because the maximum amount of the agreement exceeds the level that the Purchasing Agent may approve, the amendment must be approved by the Board.

Staff anticipates utilizing these services through Fiscal Year 2015-2016 on capital improvement projects as the acquisition of lands as needed basis on other projects.

Public Works recommends ARWS to provide services to the County based on their qualifications, which includes the certification required for the federal funding agencies. ARWS is not a local vendor. Staff recommends authorizing the contract with ARWS as no local firm has the necessary certification.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Molly Rattigan