

**RESOLUTION NO.**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA**

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**RESOLUTION AUTHORIZING: A) THE PRESIDENT OF THE BOARD OF SUPERVISORS TO EXECUTE AN AGREEMENT WITH THE SAN MATEO RESOURCE CONSERVATION DISTRICT FOR PHASE IV OF THE OLD HAUL ROAD SEDIMENT REDUCTION PROJECT IN PESCADERO CREEK COUNTY PARK, WITH A TERM BEGINNING OCTOBER 8, 2019 THROUGH JUNE 30, 2022, AND AN AMOUNT NOT TO EXCEED \$2,102,591; AND B) THE WAIVING OF THE COUNTY'S FORMAL REQUEST FOR PROPOSAL PROCESS; AND C) THE PARKS DIRECTOR, OR HER DESIGNEE, TO EXECUTE AMENDMENTS TO THE AGREEMENT TO MODIFY THE COUNTY'S MAXIMUM FISCAL OBLIGATION BY NO MORE THAN \$25,000, AND/OR MODIFY THE AGREEMENT'S TERMS AND/OR SERVICES, SO LONG AS THE MODIFIED TERM(S) AND/OR SERVICES IS/ARE WITHIN THE CURRENT OR REVISED FISCAL PROVISIONS**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the San Mateo Resource Conservation District ("RCD") is a special district formed and existing under the laws of the State of California that works in partnership with landowners and land managers to provide technical support during restoration projects that achieve watershed protection goals; and

**WHEREAS**, in 2015, San Mateo County Parks ("Parks") and the RCD entered into a Stewardship Memorandum of Understanding ("MOU") for the coordination of projects within the Pescadero Creek County Park Complex, and one of the projects included in the scope of the MOU is the Old Haul Road Sediment Reduction Project ("Project"); and

**WHEREAS**, Old Haul Road is a legacy logging road now used for recreation, access for emergency response, and fire protection; and

**WHEREAS**, Phase I of the Project included retention by the RCD of a consultant to perform topographic and geotechnical surveys and analyses for replacement of the Harwood, Keystone, and Dark Gulch creek crossings along Old Haul Road and the completion of a draft report; and

**WHEREAS**, on September 12, 2017, this Board adopted Resolution No. 075438, which amended the MOU to extend its term through November 14, 2018; increase the maximum amount payable thereunder by \$159,923, to an amount not to exceed \$289,923; and to add to scope of work for the MOU Phase II of the Project; specifically, engineering, environmental analysis, and permitting work associated with the repair of the Harwood, Keystone, and Dark Gulch creek crossings; and

**WHEREAS**, on July 24, 2018, this Board adopted Resolution No. 076023, which amended the MOU to extend its term through January 15, 2021; increase the maximum amount payable thereunder by \$632,500, to an amount not to exceed \$922,423; and to add to the scope of work for the MOU Phase III of the Project; specifically, RCD's management and bidding out, through a competitive process, of work necessary to bring the repair of Harwood and Keystone creek crossings through to completed construction phase; and

**WHEREAS**, Phase IV of the Project includes final permitting, planning coordination, construction oversight, monitoring, and reporting, construction contractor hiring, and permit compliance for completion of the repair of Dark Gulch Creek crossing, in order to prevent failure of this crossing, and the discharge of up to 35,000 cubic yards of sediment into Pescadero Creek; and

**WHEREAS**, the RCD has secured \$800,000 in grant funding from the United States Environmental Protection Agency for work falling under Phase IV of the Project; and

**WHEREAS**, the County and the RCD desire to enter into a new Agreement, pursuant to which the County will provide funding to RCD for tasks related to Phase IV of the Project for the term of October 8, 2019 through June 30, 2022 for an amount not to exceed \$2,102,591, and this Board has been presented with a form of such Agreement, has reviewed and considered as to both form and content, and desires to enter into it in substantially the form attached hereto; and

**WHEREAS**, the Parks Department recommends that the Board of Supervisors approve the waiver of the competitive solicitation process for the funding agreement because the RCD is a special district formed and existing under California law to be locally governed with independent board of directors that are accountable to our local communities and all portions of the scope of the Phase IV work that constitute public work shall be competitively procured.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that

1. The President of this Board of Supervisors be and is hereby authorized and directed to execute said Agreement for and on behalf of the County of San Mateo, and the Clerk of the Board shall attest to the President's signature thereto; and
2. The Board hereby waives the County's Request for Proposal process to select the San Mateo Resource Conservation District, a public entity, to perform the scope of work in the Agreement; and

3. The Director of the San Mateo County Parks Department, or her designee, is authorized to execute amendments to the Agreement to modify the County's maximum fiscal obligation by no more than \$25,000 (in aggregate), and/or modify the Agreement's term and/or services so long as the modified term or services is/are within the current or revised fiscal provisions.

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