

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



ITEM: 3.11
(ID # 19647)

MEETING DATE:
Tuesday, November 08, 2022

FROM : FIRE DEPARTMENT:

SUBJECT: FIRE DEPARTMENT: Approve Amendment No. 1 to the Professional Service Agreement with Mountain Communities Fire Safe Council for Project Management Services for the Forest Health Program through March 31, 2025 [District 3], [Total Aggregate Cost \$358,000 - 100% State Grant Funds]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve Amendment No. 1 to the Professional Service Agreement with Mountain Communities Fire Safe Council for Project Management Services for the Forest Health Program for \$358,000 aggregate through March 31, 2025;
2. Authorize the Chair of the Board to sign the Amendment No. 1 on behalf of the County; and
3. Authorize the Purchasing Agent, in accordance with Ordinance No. 459, based on the availability of funding and as approved as to form by County Counsel, to sign amendments that exercise the option of the Agreement including modifications of the statement of work that stay within the intent of the Agreement.

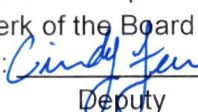
ACTION:


Bill Weiser, Fire Department Chief 10/6/2022

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Washington, seconded by Supervisor Perez and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Hewitt, and Perez
Nays: None
Absent: None
Date: November 8, 2022
xc: Fire

Kecia R. Harper
Clerk of the Board
By: 
Deputy

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 200,000	\$ 110,000	\$ 358,000	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: 100% State Grant Funds			Budget Adjustment: No	
			For Fiscal Year: 22/23, 23/24, 24/25	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

On May 7, 2019 via Minute Order 3.18 the Board approved the acceptance of the FY2019 CAL FIRE Climate Investments (CCI) Forest Health Grant No. 8GG18659 for the Riverside County Forest Health Program (RCFHP) which is designed to focus on restoring forest health through pest management of the Goldspotted Oak Borer (GSOB), reduce greenhouse gases (GHGs), protect upper watersheds where the state’s water supply originates, promote long-term storage of carbon in forest trees and soils and minimize loss of forest carbon from large wildfires.

This program has undergone several delays in the past two years as a direct result of the Covid-19 pandemic and these impacts resulted in several changes to program methodology. For that reason, there was a need for immediate action for pesticide application to vulnerable trees during GSOB emergence season (April/May through July/August). Riverside County Fire Department (RCFD) approached their project management contractor, Mountain Communities Fire Safe Council (MCFSC), with a request to sub-contract for these pesticide application services while RCFD drafted and released a formal solicitation for the services and requested a budget modification from the Grantor to reallocate funding to cover this subcontract cost. At the same time, an amendment to the grant agreement was being processed to extend the period of performance of the program through March 31, 2025, and reallocate all funds to cover this extension. Amendment No. 3 to the Agreement was executed on March 7, 2022, extending the period of performance of the program through March 31, 2025. The budget modification request was submitted May 22, 2022, with approval received on June 30, 2022.

Approval of Amendment No. 1 extends MCFSC’s contract period, increases the compensation amount to cover the subcontractor costs and adds the pesticide applicator service requirements to the existing Agreement.

Impact on Residents and Businesses

There is no negative impact on residence or businesses. The communities of Idyllwild, Pine Cove, and Mountain Center, where the program is focused, benefit from treatment of the GSOB infestation at no cost to the participating landowner. Eliminating or slowing the spread of GSOB will result in improved tree health, reduce tree mortality and reduce hazardous fuels in the area which can lead to catastrophic wildfires.

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Additional Fiscal Information

The budget modification approved by the Grantor reallocates \$83,000 in grant funds to cover the pesticide application services of MCFSC's subcontractor which resulted in the treatment of eight hundred trees.

Contract History and Price Reasonableness

RCFD anticipates a direct contractual agreement for pesticide service resulting from Request for Quote #RIVCO-RFQ-0000533 in the near future and will utilize this contractor for treatments as needed for this program.

ATTACHMENTS:

- Amendment No. 1 with Mountain Communities Fire Safe Council (MCFSC)
- Grant No. 8GG18659 Amendment No. 3
- Grant No. 8GG18659 Approved Budget Modification Packet


Rebecca S Cortez, Principal Management Analyst

10/24/2022


Suzanna Hickey, Assistant Director of Purchasing and Fleet Service

10/20/2022


Kristine Bell-Valdez, Supervising Deputy County Counsel

10/24/2022

COUNTY OF RIVERSIDE
AMENDMENT NO. 1 TO THE AGREEMENT
WITH
MOUNTAIN COMMUNITIES FIRE SAFE COUNCIL

Contract Term:	10/28/2021 through 3/30/2023
Contract Term Extended To:	3/31/2025
Effective Date of Amendment:	June 1, 2022
Original Annual Maximum Contract Amount:	\$100,000 / Fiscal Year
Amended Aggregate Contract Amount:	\$358,000
Contract ID:	FPARC-0003533
Amended Contract ID	FPARC-95877-001-03/25

This Amendment No. 1 to the Professional Services Agreement for Project Management Services for the Forest Health Program is entered into by and between the **County of Riverside**, a political subdivision of the State of California (“COUNTY”) and **Mountain Communities Fire Safe Council**, a California nonprofit public benefit corporation, (“CONTRACTOR”), effective June 1, 2022 (“Effective Date”).

RECITALS

WHEREAS, COUNTY and CONTRACTOR entered into that certain Professional Services Agreement for Project Management Services for the Forest Health Program, effective October 28, 2021 (the “Agreement”); and

WHEREAS, COUNTY and CONTRACTOR now desire to amend the Agreement to extend the period of performance through March 31, 2025, unless terminated earlier, increase the aggregate compensation and allow for subcontracting of pesticide applicator services.

NOW THEREFORE, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, COUNTY and CONTRACTOR agree as follows:

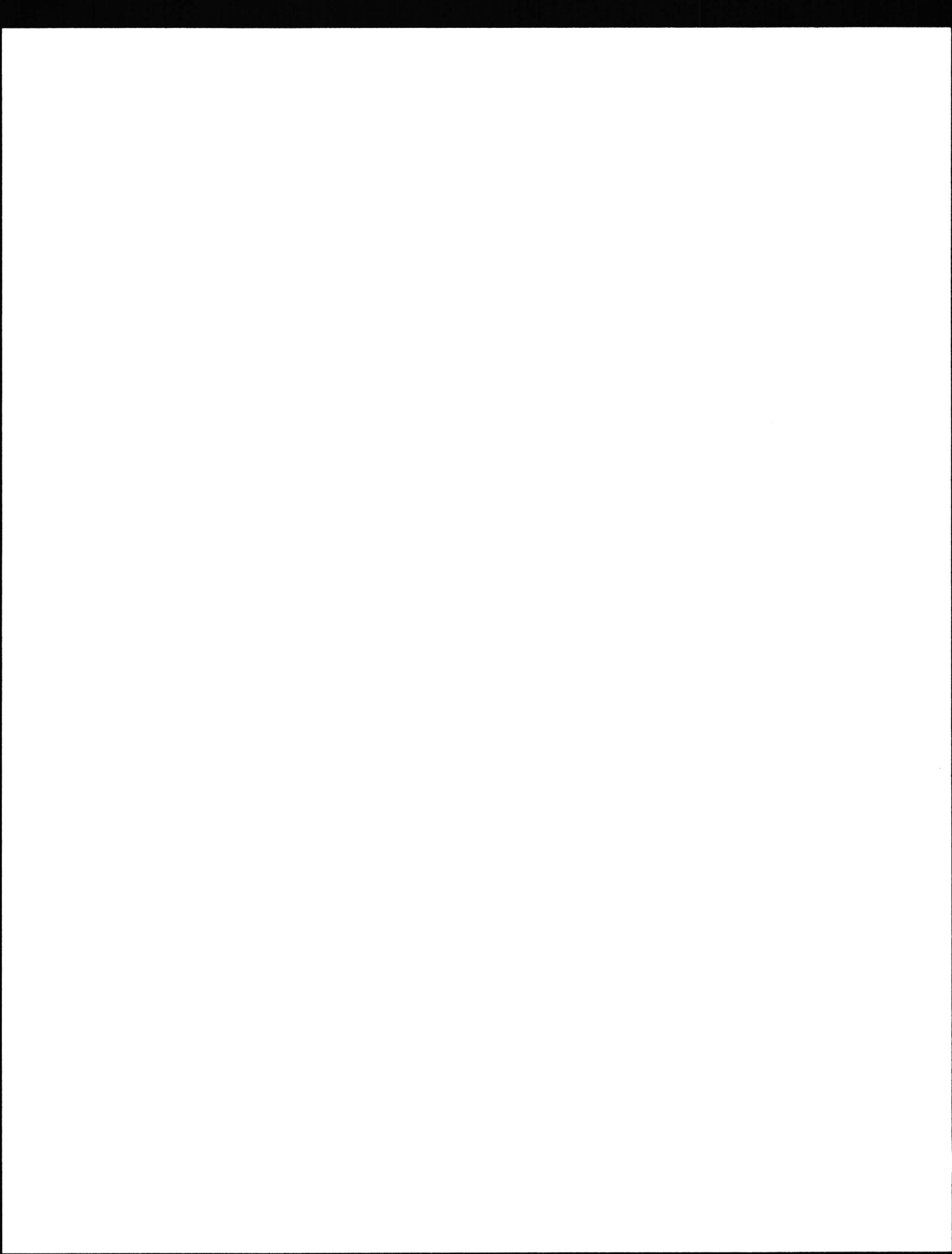
1. The above recitals are true and correct and are incorporated herein by reference.
2. **Section 2.1** of the Agreement (“Period of Performance”), first sentence, is deleted in its entirety and replaced with the following:
This Agreement shall be effective upon signature of this Agreement by both parties and continues in effect through March 31, 2025, unless terminated earlier.
3. **Section 3.1** (“Compensation”), second sentence, is deleted in its entirety and replaced with the following:
Maximum payments by COUNTY to CONTRACTOR shall not exceed three hundred fifty eight thousand dollars (\$358,000) aggregate including all expenses.
4. **Exhibit A3.2** (“Scope of Services”) first sentence, shall be amended to include pesticide applicator services. First sentence is deleted in its entirety and replaced with the following:
The services required herein encompass project management and coordination, Registered Professional Forester (RPF) duties, Geographic Information Systems (GIS) mapping capabilities, pesticide applicator services and related administrative support.

COUNTY OF RIVERSIDE
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5. **Exhibit A** (“Scope of Services”) is amended to add the pesticide applicator service requirements, attached hereto as “Attachment No. 1 to Amendment No. 1 Section A13.0 Pesticide Applicator responsibilities and tasks”.

6. All other terms and conditions of the Agreement not modified herein shall remain unchanged. The provisions of this Amendment No. 1 to the Agreement shall prevail over any inconsistency or conflicting provisions of the Agreement, as heretofore amended, and shall supplement the remaining provisions thereof.

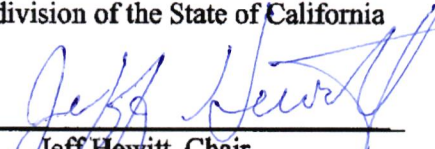
[Signature page to follow.]



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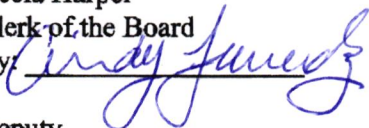
IN WITNESS WHEREOF, the Parties hereto have caused their duly authorized representatives to execute this Amendment No. 1.

COUNTY OF RIVERSIDE, a political
subdivision of the State of California

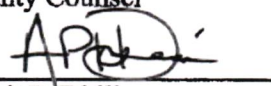
By: 
Jeff Hewitt, Chair
Board of Supervisors

Dated: 11/08/2022

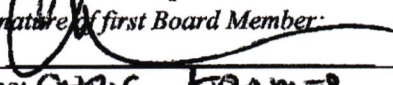
ATTEST:

Kecia Harper
Clerk of the Board
By: 
Deputy

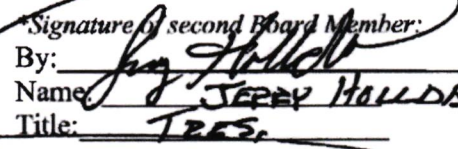
APPROVED AS TO FORM:

County Counsel
By: 
Amrit P. Dhillon
Deputy County Counsel

**MOUNTAIN COMMUNITIES FIRE
SAFE COUNCIL**, a California Nonprofit
Public Benefit Corporation

*Signature of first Board Member:
By: 
Name: CHRIS KRAMER
Title: VICE-PRESIDENT

Dated: 9-14-2022

*Signature of second Board Member:
By: 
Name: JERRY HALDBER
Title: TRES.

Dated: 9/14/22

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Exhibit A
Attachment No. 1 to Amendment No. 1

A13.0 Pesticide Applicator responsibilities and tasks:

A13.1 Pesticide Applicator is to provide as needed pesticide application treatment service for the prevention, management, and elimination of Gold Spotted Oak Borer (GSOB) on private properties in and around the communities of Idyllwild, Pine Cove, and Mountain Center.

A13.2 Use of Carbaryl and/or Bifenthrin have been identified as acceptable treatments in the Notice of Exemption (NOE) for this project.

A13.3 Frequency of application shall be scheduled based on the Project Manager's (PM) direction. Identified trees will be marked for pesticide application and Pesticide Applicator will be given clear, written directions from the PM on the tree(s) location, property owner information for scheduling service, number of trees and DBH classification of tree(s).

A13.4 Tree will be sprayed in accordance with the Environmental Protection Agency (EPA) labeling for bark barrier spray pesticides. All pesticide application services shall be in strict accordance with all applicable Federal, State, and local safety and health requirements. Where there is a conflict between applicable regulations, the most stringent will apply.

A13.5 The trees being treated will all be oak trees (*Quercus kelloggii*, *Quercus chrysolepis*).

A13.6 Treatment by pesticide application will be done starting at the ground, covering the entire surface of the tree trunk and sprayed to the point that the tree reaches 6" in diameter or 40 feet above the ground, whichever is lower. (Height may vary slightly but would be communicated to the applicator prior to service.) No spray in the canopy is required.

A13.7 PM will work with Pesticide Applicator Provide to maintain a logbook with service history of the address and/or Assessor Parcel Number, tree number identifier and/or tree tag number(s) and GPS location, safety information and number of trees treated. PM will be responsible to confirm service completion dates and acceptance of treatment method.

A13.8 Maintain all State licensing and certification, copies of service reports, product labels, Material Safety Data Sheets, employee in-services, and other relevant information for the time of service. It is the PM's responsibility to verify documentation, licensing and insurance requirements are current and valid prior to services.

A13.9 Licensing required: California Department of Pesticide Regulations Qualified Applicator License.