

**RESOLUTION NO. 23-132**

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING RETROACTIVELY INCREASING THE DIRECTOR OF TRANSPORTATION'S CHANGE ORDER AUTHORITY TO A TOTAL OF \$149,701 FOR DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 210017 FOR CONSTRUCTION OF THE 2019 STORM DAMAGE REPAIRS ON MOUNTAIN VIEW ROAD, COUNTY ROAD 510, MILEPOST 20.00 (BOONVILLE AREA)**

WHEREAS, by Resolution Number (No.) 21-045 (April 6, 2021), the Board of Supervisors authorized the Director of Transportation to advertise for bids for Department of Transportation (DOT) Contract No. 210017 and to award the contract to the lowest responsive, responsible bidder for the 2019 storm damage repairs on Mountain View Road, County Road (CR) 510 at milepost (M.P. 20.00); and

WHEREAS, on September 12, 2022, DOT Contract No. 210017 was awarded to Bouthillier's Construction, Inc., with a bid of \$239,035; and

WHEREAS, under Section 20395 of the California Public Contract Code, the Board of Supervisors may authorize the Director of Transportation to execute contract change orders subject to certain cost limitations; and

WHEREAS, pursuant to Resolution 07-008, the Director of Transportation's original contract change order authority amount for DOT Contract No. 210017 was \$23,904; and

WHEREAS, construction costs are 88.53% reimbursable through the Federal Highway Administration (FHWA) Emergency Relief (ER) Program, with the local match funded by the Road Fund; and

WHEREAS, funding to accommodate construction costs has been budgeted through Budget Unit 3030 (Fiscal Year 2022/23 and FY 2023/24); and

WHEREAS, during construction, additional Rock Slope Protection was required to complete the project, at a cost of \$149,701; and

WHEREAS, in order to avoid project delays and incurring additional costs, the contractor was allowed to proceed with construction of the 2019 Storm Damage Repairs on Mountain View Road, CR 510, MP 20.00, and the project was completed on June 12, 2023; and

WHEREAS, to cover the cost of the additional Rock Slope Protection, the Director recommends retroactively increasing the Director's change order limits to a total of \$149,701, so that DOT Contract No. 210017 may be closed out in a timely manner and avoid a claim.

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby:

1. Authorizes the retroactive increase of the Director of Transportation's change order authority to a total of \$149,701; and

//

//

//

//

//

2. Authorizes the Director of Transportation to execute Contract Change Orders for DOT Contract No. 210017 with Bouthillier's Construction, Inc., up to a total of \$149,701.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Mulheren, and carried this 11<sup>th</sup> day of July, 2023, by the following vote:

AYES: Supervisors McGourty, Mulheren, Haschak, Gjerde, and Williams  
NOES: None  
ABSENT: None

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
GLENN MCGOURTY, Chair  
Mendocino County Board of Supervisors

\_\_\_\_\_  
Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

*APPROVED AS TO FORM:*  
CHRISTIAN M. CURTIS  
County Counsel

BY: DARCIE ANTLE  
Clerk of the Board

\_\_\_\_\_  
Deputy