

## RESOLUTION NO. 24-104

**RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO APPROVE A CONTRACT CHANGE ORDER IN THE AMOUNT OF \$235,160 FOR DEPARTMENT OF TRANSPORTATION CONTRACT NUMBER 210008 FOR A TOTAL CONTRACT AMOUNT OF \$856,660 FOR CONSTRUCTION OF THE 2019 STORM DAMAGE REPAIRS ON BRICELAND ROAD, COUNTY ROAD 435, MILEPOST 4.79 (WHALE GULCH AREA)**

WHEREAS, by Resolution Number (No.) 21-046 (April 6, 2021), the Board of Supervisors authorized the Director of Transportation to advertise for bids for Department of Transportation (DOT) Contract No. 210008 and to award the contract to the lowest responsive, responsible bidder for the 2019 Storm Damage Repairs on Briceland Road, County Road (CR) 435 at Milepost (M.P.) 4.79; and

WHEREAS, on March 7, 2022, DOT Contract No. 210008 was awarded to Bouthillier's Construction, Inc., with a bid of \$621,500; and

WHEREAS, construction costs are 93.75% reimbursable through the Federal Emergency Management Agency (FEMA) and California Disaster Assistance Act (CDAA), 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, delays due to the need for additional environmental review and clearances have resulted in increased material and labor costs, which have increased the total project cost by \$235,160 for a total contract amount of \$856,660; 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. 210008 is \$43,575; and

WHEREAS, to cover the increased cost of construction, the Director recommends authorizing the Director to approve a change order for the amount of \$235,160, so that DOT Contract No. 210008 may be constructed.

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

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1. Authorizes the Director of Transportation to execute a Contract Change Order for DOT Contract No. 210008 with Bouthillier's Construction, Inc., up to a total of \$235,160 for a total contract amount of \$856,660.

The foregoing Resolution introduced by Supervisor Haschak, seconded by Supervisor Gjerde, and carried this 25<sup>th</sup> day of June, 2024, 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

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MAUREEN MULHEREN, Chair  
Mendocino County Board of Supervisors

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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:*  
JAMES R. ROSS  
Interim County Counsel

BY: DARCIE ANTLE  
Clerk of the Board

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Deputy