

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: CHIEF EXECUTIVE OFFICE

BOARD AGENDA # *B-3

Urgent

Routine

AGENDA DATE January 27, 2015

CEO Concurs with Recommendation YES NO

4/5 Vote Required YES NO

(Information Attached)

SUBJECT:

Approval to Amend the Contract with Black Water Consulting Engineers, Inc. for the Development of a Record of Survey and to Establish a Separate Parcel for the Existing Water Well Serving the Former Honor Farm Property at 8224 West Grayson Road; and, Related Actions

STAFF RECOMMENDATIONS:

1. Authorize the Project Manager to execute Amendment No. 2 for additional Engineering services with Black Water Consulting Engineers, Inc. in the amount of \$24,647 to define a separate water well parcel and all associated Record of Survey documentation and physical property markings for the proposed Honor Farm parcel.
2. Direct the Auditor Controller to increase revenue and appropriations through a transfer from the Chief Executive Office Plant Acquisition budget to the Capital Project Fund as outlined in the attached budget journal form to fund.

FISCAL IMPACT:

The Sheriff's Honor Farm was closed in fall of 2013 after a devastating fire destroyed Barracks 1 and 2 in June 2010. The facilities were replaced at the County's Public Safety Center in 2013 with the completion of Unit Two at the Public Safety Center complex. On April 1, 2014, the Board of Supervisors approved a contract with Black Water Consulting Engineers, Inc. to evaluate and recommend steps for the decommissioning and closure of the former Honor Farm site to prepare it for sale.

(Continued on Page Two)

BOARD ACTION AS FOLLOWS:

No. 2015-35

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith

and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Monteith, De Martini, and Chairman Withrow

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) Approved as recommended

2) Denied

3) Approved as amended

4) Other:

MOTION:

ATTEST:


CHRISTINE FERRARO TALLMAN, Clerk

File No.

FISCAL IMPACT: (Continued)

On July 29, 2014, the Board of Supervisors approved to decommission the facility, declare the property surplus and to offer the property for public bid.

On August 27, 2014 one offer to purchase the former Honor Farm property was received from Camp Taylor for \$723,000, the minimum asking price established by the Board of Supervisors for the property. The Board of Supervisors approved the conditional sale of the property to Camp Taylor on September 30, 2014. The property is to be sold in "as is" condition subject to:

- a) The County's completion of the removal of biosolids and decommissioning of the Wastewater Treatment Facility;
- b) Abandonment of unused public rights-of-way within Laird Park and the former Honor Farm site;
- c) The County's Demolition and removal of three structures: Barracks 4, a modular Guard booth and a Paint Booth;
- d) Completion of a lot line adjustment/merger as described in the Offer For Bids; and
- e) Approval of a Conditional Use Permit for Camp Taylor's proposed use of the former Honor Farm property.

The Board of Supervisors approved a contract with Synagro-WWT, Inc. for maintenance and decommissioning of the Wastewater Treatment Facility on September 30, 2014 for \$425,417. The WWTF work is currently nearing completion subject to final approval by the State's Regional Water Quality Control Board.

Additional Scope to Complete Property Transfer

Completion of the lot line adjustment and merger is more complicated than originally anticipated, requiring separate parcelization of the water well serving the former Honor Farm and located within Laird Park, sale of separate water well to the purchaser of the Honor Farm property (Camp Taylor) and easements for access and utilities between the former Honor Farm and the water well. The water well and a buffer protection zone is required for approval by the State Department of Water Resources. This work was not originally envisioned as part of the Honor Farm Decommissioning and Closure Plan.

At this time, staff recommends the Board of Supervisors approve an Amendment No. 2 to with Black Water Consulting Services, Inc. for the lump sum amount not to exceed \$24,647 for to perform a new lot line through a Record of Survey to map and physically demark the revised property line alignment between Laird Park and the former Honor Farm site.

Approval to Amend the Contract with Black Water Consulting Engineers, Inc. for the Development of a Record of Survey and to Establish a Separate Parcel for the Existing Water Well Serving the Former Honor Farm Property at 8224 West Grayson Road; and, Related Actions

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The additional work is required to successfully transfer the property. Approval of Amendment No. 2 will increase the contract with Black Water Consulting Services from \$171,276 to \$195,923. These additional costs are recommended to be funded through a transfer from the Chief Executive Office Plant Acquisition budget to the Capital Project fund as outlined in the attached budget journal form. With the Boards approval Amendment No. 2, the overall project budget will increase from \$842,943 to \$867,590.

The Biosolids Removal effort is nearing completion and resulted in 171 truckloads and 4,090 tons of materials; just below the originally estimated volume of materials. All materials have been removed from the site, leaving only the final leveling and grading work to be completed. Final completion of that work is subject to approval and acceptance of the County's Plant Closure by the State Regional Water Quality Control Board.

DISCUSSION:

This proposed action by the Board of Supervisors will change the scope of services of Black Water Consulting Engineers, Inc. to provide additional civil engineering surveys, maps, and physical marking of the proposed property lot line adjustment/merger. The additional work is needed to provide a Record of Survey and a separate parcel, surveys and map of a water well parcel that were not anticipated in the original Honor Farm Decommissioning and Closure Plan.

Black Water Consulting Engineering was selected by the Board of Supervisors on April 2, 2014 to conduct an evaluation of the Honor Farm property and recommendations for actions required for its closure. The Closure and Decommissioning Plan was accepted and the Board of Supervisor declared the property surplus and authorized the issuance of Requests for Offer to Purchase the Honor Farm on July 29, 2014. One offer to purchase was received from Camp Taylor on August 27, 2014 and a Conditional Sale was authorized by the Board of Supervisors on September 30, 2014.

During the due diligence investigation of the property by various agencies, it was determined that the one existing water well serving the site, located in Laird Park, must be owned by Camp Taylor, where it has been previously assumed to be provided by access and utility easements. Without Camp Taylor owning the well site, Stanislaus County would be required to operate this public water system indefinitely and provide regular monitoring and quality assurance to comply with State Department of Water Resources regulations. Transfer of the water well and a protective control zone around it to Camp Taylor will effectively place control over operation and monitoring of the well in the property buyer's control.

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Additional engineering services to delineate the water well parcel and to develop a Record of Survey for the lot line adjustment and merge are required to complete the conditional property transaction.

Schedule

Closure of the Wastewater Treatment Facility and removal of the accumulated biosolids materials is physically completed with the exception of the final grading and leveling of the site. Complete closure of the plant's Operating License will be subject to approval of the State Regional Water Quality Control Board and is expected in Spring of 2015.

Demolition of three structures, including Barracks #4, a Guard Shack and Paint Booth is expected to be completed by April, 2015.

Application for the lot line adjustment/merger will be submitted to the County Planning Department for administrative review and processing in early Spring, 2015.

Camp Taylor, the prospective buyer of the property, is currently developing plans for consideration in its Conditional Use Permit application. Closure of escrow requires approval of the Conditional Use Permit as a condition of the sale of the property.

With the exception of activities associated with approval of the Conditional Use Permit, all County responsibilities for preparation of the property for sale will be completed by mid-Spring, 2015.

POLICY ISSUES:

These actions support the Board of Supervisors' priority to provide Efficient Delivery of Public Services through disposition of this property asset that is no longer required for County use, elimination of the cost for on-going security and utilities, and to provide Effective Partnerships and a Healthy Community.

STAFFING IMPACTS:

The Chief Executive Office continues to manage the closure, disposition and sale of the former Honor Farm property. The Planning Department will lead the effort for the development and consideration of the Conditional Use Permit and the Lot Line adjustment and merger. No additional staff resources will be required as a result of this action.

CONTACT PERSON:

Patricia Hill Thomas, Chief Operations Officer. Telephone: (209) 525-6333

**AGREEMENT FOR PROFESSIONAL SERVICES
BETWEEN STANISLAUS COUNTY AND
BLACK WATER CONSULTING ENGINEERS, INC.
FOR THE HONOR FARM CLOSURE AND DECOMMISSIONING
SITE CONSULTING ENGINEERING SERVICES**

AMENDMENT NO. 2

The Agreement for Professional Services between the **County of Stanislaus** ("County") and **Black Water Consulting Engineers, Inc.** ("Consultant") for the Honor Farm Closure and Decommissioning Site Consulting Engineering Services dated April 1, 2014 (the "Agreement") is hereby amended as follows:

1. Scope of Work

1.1 Record of Survey. Modify 1.1 Services to include: Honor Farm Closure and Decommissioning Site Consulting Engineering Services, Honor Farm Record of Survey as described in the attached letter from Black Water Consulting Engineers, Inc. dated October 6, 2014 (per Exhibit A).

1.2 Water Well Parcel. Additionally modify services to include preparation of all necessary documents for a Record of Survey, legal description to provide for creation of a separate parcel as required for application to the Stanislaus County Planning Department and Planning Commission containing the water well serving the former Honor Farm property located at Laird Park, 8224 West Grayson Road, Modesto, CA 95358 as described in the attached letter from Black Water Consulting Engineers, Inc. dated December 12, 2014 (per Exhibit B).

2. Compensation Modify section 2.1, Total Compensation to include an additional sum of \$24,647.00 as provided below:

	1.1	1.2	
	Record of Survey Honor Farm Parcel	Record of Survey Water Well Parcel	TOTAL
Honor Farm Record of Survey	\$13,640.00	\$6,730.00	\$20,370.00
Sub-consultant Markup	\$1,364.00	\$673.00	\$2,037.00
Review of work produce and meeting	\$1,120.00	\$1,120.00	\$2,240.00
TOTAL	\$16,124.00	\$8,523.00	\$24,647.00

Except as previously modified and specifically modified herein, the Agreement shall remain in full force and effect as written. To the extent that any provision of this Amendment No.2 conflicts with any provisions of the Agreement or Amendment No. 1, this Amendment No.2 shall control.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of January 27, 2015

STANISLAUS COUNTY

BLACK WATER CONSULTING ENGINEERS, INC.

By Patricia Hill Thomas

Patricia Hill Thomas
Chief Operations Officer/
Assistant Executive Officer

By Jeff Black

Jeff Black, P.E., President

APPROVED AS TO FORM

John P. Doering, County Counsel

By: John P. Doering
John P. Doering, County Counsel

October 6, 2014

Tim Fedorchak, CEO-Capital Projects
Stanislaus County Capital Projects
1010 Tenth Street, Suite 6800
Modesto, CA 95354

Subject: Honor Farm Closure and Decommissioning Site Consulting Engineering Services – Amendment #2

Dear Mr. Fedorchak,

At the request of the County, Black Water is submitting Amendment #2 for the Subject Project to prepare and provide a Record of Survey for the property. This work will be completed by our sub-consultant (R.B. Welty and Associates, Inc.) and managed by Black Water as the prime consultant for the project. The scope of work for the requested work is attached to this letter as Exhibit A. The total fee for the additional work is \$16,124. A summary of the additional costs are provided below.

Task Order #2	
Honor Farm Record of Survey	\$13,640
Sub-consultant markup (10%)	\$1,364
Review of work product and meeting	\$1,120
Total	\$16,124

Should you have any questions or require additional information, please do not hesitate to contact me.



Jeff Black, P.E. 66645
President

R.B. WELTY & ASSOCIATES, INC.
ENGINEERS - SURVEYORS - PLANNERS

GARY E. MADSEN, C.E. 70508
KAISER SHAHBAZ, PLS 8599

MAILING ADDRESS:
521 13th Street
Modesto, Ca 95353

TELEPHONE (209) 526-1515
FAX (209) 523-3383
GMadsen@Weltyeng.com

PROPOSAL OF WORK
September 20, 2014

TO: Stanislaus County
Attn: Patricia Hill Thomas & Tim Fedorchak
1010 10th Street, Suite 6800
Modesto, CA 95354

RE: HONOR FARM RECORD OF SURVEY

The following scope of work is for R.B. Welty & Associates to prepare a Record of Survey for the proposed Lot Line Adjustment at the Honor Farm located at 8224 West Grayson Rd. The purpose of the Record of Survey is to provide a publically accessible recorded map and parcel monumentation. The following is our anticipated scope of work to prepare the Record of Survey:

SCOPE OF WORK

1. MAPPING RESEARCH AND CALCULATIONS
2. FIELD BOUNDARY SURVEY
3. TOPOGRAPHY SURVEY OF EXISTING HIGH WATER LINE OF THE SAN JOAQUIN RIVER (SOUTH PROPERTY LINE)
4. PREPARE RECORD OF SURVEY MAP FOR STANISLAUS COUNTY REVIEW
5. REVISE MAP BASED ON COMMENTS PROVIDED BY STANISLAUS COUNTY
6. SET REQUIRED FIELD MONUMENTATION UPON MAP RECORDATION
7. PROJECT COORDINATION AND MANAGEMENT

Cost - \$13,640

• **Additional Work:**

1. All work not listed above and requested by the contractor or owner will be billed on a time and material basis based on the attached hourly rate schedule. Additional work shall be approved in writing by the Owner/Contractor prior to start of work.

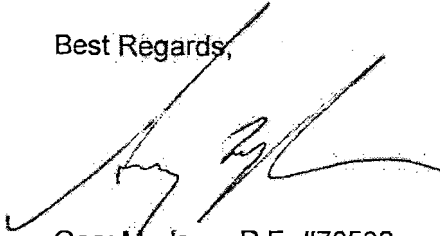
Cost - T & M

Exclusions:

- Geotechnical Engineering or Soils Report
- Title Report
- Environmental Studies or Permits
- County Submittal Fees

If you have any questions or concerns please contact me directly. Thank you for the opportunity to work with you on this project.

Best Regards,

A handwritten signature in black ink, appearing to read 'Gary Madsen', written over the 'Best Regards,' text.

Gary Madsen, P.E. #70508
President

BLACKWATER
CONSULTING ENGINEERS, INC.

EXHIBIT B

December 12, 2014

Tim Fedorchak, CEO-Capital Projects
Stanislaus County Capital Projects
1010 Tenth Street, Suite 6800
Modesto, CA 95354


Subject: Honor Farm Closure and Decommissioning Site Consulting Engineering Services – Amendment #3

Dear Mr. Fedorchak,

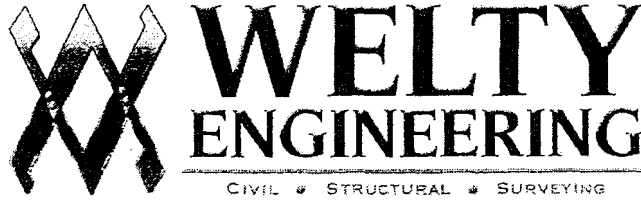
At the request of the County, Black Water is submitting Amendment #3 for the subject project to prepare and provide a Lot Line Adjustment, Record of Survey, and Legal Descriptions for an easement for the Well Parcel at the property. This work will be completed by our sub-consultant (R.B. Welty and Associates, Inc.) and managed by Black Water as the prime consultant for the project. The scope of work for the requested work is attached to this letter as Exhibit A. The total fee for the additional work is \$8,523. A summary of the additional costs are provided below.

Task Order #2	
Honor Farm Record of Survey	\$6,730
Sub-consultant (10%)	\$673
Review of work product and meeting	\$1,120
Total	\$8,523

Should you have any questions or require additional information, please do not hesitate to contact me.



Jeff Black, P.E. 66645
President



521 13TH STREET, MODESTO, CA 95354
TELEPHONE (209) 526-1515 • FAX (209) 523-3383 • GMADSEN@WELTYENG.COM

QUOTE FOR SERVICES

TO: Blackwater Consulting Engineers, Inc.
Attn: Jeff Black
605 Standiford Ave.,
Modesto, CA 95350
Phone: (209) 322-1817

RE: HONOR FARM - ADDITIONAL PROFESSIONAL SURVEYING SERVICES

The following is our anticipated scope of work for additional Professional Surveying Services for the Honor Farm Decommissioning Project. Stanislaus County has requested the addition of a "Well Parcel", Parcel 3. This parcel will encompass the existing domestic water well serving the Honor Farm property.

SCOPE OF WORK

- Lot Line Adjustment:
 1. Revise Lot Line Adjustment Map to Include Parcel 3 (Well Parcel).
- Record of Survey
 1. Perform Site Survey as Required.
 2. Revise Record of Survey to Include Parcel 3.
 3. Install Property Monumentation in the Field.
- Easements
 1. Prepare Access Easement Legal Description and Exhibit.
 2. Prepare Utility & Maintenance Easement Legal Description and Exhibit for the Water Main Service.
 3. Prepare Access Easement Legal Description and Exhibit for the Benefit of Parcel 2 (Low Land Parcel).

Cost - \$6,730

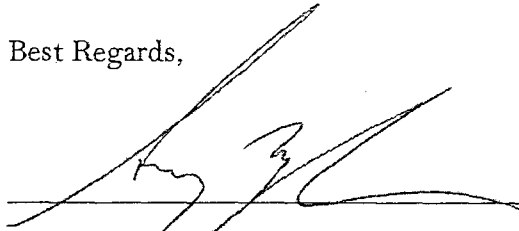
- Additional Work:
 1. All work not listed above and requested by the contractor or owner will be billed on a time and material basis based on the attached hourly rate

schedule. Additional work shall be approved in writing by the Owner/Contractor prior to start of work.

Cost - T & M

If you have any questions or concerns please feel free to contact me a call.

Best Regards,



12/11/14

Gary Madsen, PE
President