

MEMORANDUM

DEPARTMENT OF PUBLIC WORKS

County of Placer

TO: BOARD OF SUPERVISORS **DATE:** JUNE 12, 2007

FROM: KEN GREHM / PETER KRAATZ

SUBJECT: CANCELLATION OF PROFESSIONAL SERVICES AGREEMENT NO. 73224 WITH LUMOS AND ASSOCIATES, INC., FOR THE HOMEWOOD EROSION CONTROL PROJECT

ACTION REQUESTED / RECOMMENDATION

Adopt a Resolution authorizing the Director of Public Works to cancel Professional Services Agreement (PSA) No. 73224 with Lumos and Associates, Inc., for \$706,782 for the Homewood Erosion Control Project.

BACKGROUND / SUMMARY

Placer County proposed a project to plan, design, and construct water quality improvements for the Homewood area between Fern Street south to the county line along Highway 89 on the west shore of Lake Tahoe. On August 9, 2005, the Placer County Board approved PSA No. 73224 with Lumos and Associates, Inc., to perform project area mapping, planning, and preliminary design.

After carefully considering the circumstances, Placer County suspended all work on the current and remaining tasks of PSA No. 73224 between Placer County and Lumos and Associates, Inc., as of October 19, 2006. With regard to consultant performance, Public Works questioned the quality of work products and observed less than satisfactory project management. This contract cancellation is being requested due to project issues/discrepancies which greatly effect the development of project alternatives, budgeted task cost overruns, as well as general substandard work performance on produced documents and figures.

Final costs invoiced by Lumos and Associates, Inc., was in the amount of \$50,597.86. The consultant was notified of the intent of Public Works to cancel PSA No. 73224 on May 1, 2007. Written notification of the cancellation was sent certified mail on May 7, 2007. Lumos has sent us a letter from their accounting department stating that they concurred with the final invoice amount and would have no further charges under this PSA.

In order to minimize project delays, Public Works will finish the previously contracted scope of work and perform newly identified work for completing the planning, environmental documentation, and preliminary design for the proposed project.

ENVIRONMENTAL

The work under this agreement is exempt from CEQA, pursuant to CEQA Guidelines, Section 15306, Information Collection, Class 6 provisions pertaining to data collection, research, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. Prior to construction, the project is subject to review under applicable provisions of CEQA, NEPA, and the Tahoe Regional Planning Agency.

FISCAL IMPACT

The estimated cost of the completed project (planning, design, and construction) is \$14 million. The PSA was funded jointly by the U.S. Forest Service and the California Tahoe Conservancy. There are sufficient funds available in the Fiscal Year 2006-07 budget and proposed Fiscal Year 2007-08 budget to support completion of the planning effort with in-house engineers.

Attachments:
Resolution

441

Before the Board of Supervisors
County of Placer, State of California

In the matter of: A RESOLUTION CANCELLING
PROFESSIONAL SERVICES AGREEMENT
(PSA) NO. 73224 BETWEEN PLACER COUNTY
AND LUMOS AND ASSOCIATES, INC., FOR
THE HOMEWOOD EROSION CONTROL
PROJECT

Resol. No:.....

Ord. No:.....

First Reading:.....

The following RESOLUTION was duly passed by the Board of Supervisors
of the County of Placer at a regular meeting held _____,
by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chairman, Board Of Supervisors

ATTEST:
Clerk of said Board

BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Placer, State
of California, that this Board approves authority to cancel PSA No. 73224 with Lumos
and Associates, Inc.