



COUNTY OF HUMBOLDT

For the meeting of: 1/28/2025

File #: 25-126

To: Board of Supervisors

From: Public Works

Agenda Section: Consent

Vote Requirement: 4/5th

SUBJECT:

Accept Completed Contract for Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50 and Ratify Execution of Contract Change Order Number 8 (Supplement 1) (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and ratify the Director of Public Works' execution of, Contract Change Order Number 8 (Supplement 1) for the total amount of Thirty-One Thousand Five Hundred Fifty-Three Dollars and Forty-Eight Cents (\$31,553.48) (4/5 Vote Required); and
2. Accept the completed contract, including any and all approved change orders, with Wahlund Construction, Inc., regarding the construction of Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50; and
3. Approve the final claim for payment, to be submitted by the Department of Public Works to the Auditor-Controller's Office, in the amount of Two Hundred Thirty-Five Dollars (\$235.00), which will bring the total amount paid to 100% of the contract; and
4. Direct the Clerk of the Board to provide the Engineering Division of the Department of Public Works with one (1) fully executed certified copy of the Board order related to this item.

STRATEGIC PLAN:

The recommended actions support the following areas of the Board of Supervisors' Strategic Plan:

Area of Focus: Core Services/Other

Strategic Plan Category: 9999 - Core Services/Other

DISCUSSION:

On February 14, 2017, the Federal Emergency Management Agency declared a disaster for Humboldt County due to severe winter storms, flooding, and mudslides. Panther Gap Road (4D010) Post Mile 0.50, located near the community of Honeydew in the southern portion of Humboldt County, experienced moderate roadway failure due to the heavy rainfall. Heavy rains from another federally declared disaster on February 24, 2019, caused a very large landslide that completely blocked access for residents beyond Post Mile 0.50. An emergency temporary detour was constructed utilizing private roads and driveways to maintain essential traffic for residents living in Panther Gap.

On April 12, 2021, the Humboldt County Department of Public Works ("Public Works") received approval from the Federal Emergency Management Agency to proceed with Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50. GHD, Inc., and prepared plans and specifications for the project based on topographic surveys of the damaged area prepared by Points West Surveying Company and geotechnical studies prepared by Crawford and Associates. The work consisted of excavating for new roadway, disposing of excess excavation materials, installing drainage systems, constructing geosynthetic reinforced embankment

and gravel roadway, and installing erosion and sediment control items.

On June 7, 2022, the Humboldt County Board of Supervisors ("Board") authorized the Clerk of the Board to advertise Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50 for bids, authorized the Director of Public Works to award the project agreement to the lowest responsive bidder following completion of the bidding process, and authorized the Director of Public Works to execute the project agreement with the lowest responsive bidder upon submittal of the appropriate bonds and insurance. On July 12, 2022, the County of Humboldt received six (6) bids for the project. On July 14, 2022, the Director of Public Works awarded the project agreement to Wahlund Construction, Inc., the lowest responsive bidder in the amount of Two Million Two Hundred Fifty-Eight Thousand Nine Hundred Forty-Five Dollars and Ninety Cents (\$2,258,945.90).

Contract change orders executed during the project increased the authorized amount by Nine Hundred Sixty-Two Thousand Four Hundred Thirty-Four Dollars and Sixty-Three Cents (\$962,434.63). Contingency funds in the amount of One Hundred Thirteen Thousand Nine Hundred Fifty Dollars (\$113,950.00) were authorized with the award of the project agreement and provided for detour maintenance during construction, extra work associated with managing groundwater, and increases in drainage and erosion control bid item quantities. On December 20, 2022, the Board approved, and authorized the Director of Public Works to execute, Contract Change Order Number 1, in the amount of Two Hundred Five Thousand Dollars (\$205,000.00), for additional roadway excavation required to provide sufficient width for the planned roadway. On December 12, 2023, the Board approved, and authorized the Director of Public Works to execute, Contract Change Order Number 5, in the amount of Thirty-Two Thousand Nine Hundred Seventy-Six Dollars and Ninety Cents (\$32,976.90), and Contract Change Order Number 7, in the amount of Ninety-Five Thousand Dollars (\$95,000.00), and authorized additional contingency funds in the amount of Five Hundred Thousand Dollars (\$500,000.00). The additional contingency funds were requested to remove slide material that closed the roadway to public traffic in November 2023. Contract Change Order Number 8 (Supplement 1) compensates the contractor for grading, compacting, and seeding the excavated material at a cost of Thirty-One Thousand Five Hundred Fifty-Three Dollars and Forty-Eight Cents (\$31,553.48). The total cost of Contract Change Order Number 8 is Five Hundred Twenty-Six Thousand Eight Hundred Ten Dollars and Ninety-Eight Cents (\$526,810.98), which exceeds the authorized contingency by Twenty-Six Thousand Eight Hundred Ten Dollars and Ninety-Eight Cents (\$26,810.98).

Accordingly, Public Works recommends that the Board approve, and ratify the Director of Public Works' execution of, Contract Change Order Number 8 (Supplement 1), accept the completed contract, including all approved change orders, and approve the final claim for payment in the amount of Two Hundred Thirty-Five Dollars (\$235.00).

SOURCE OF FUNDING:

Humboldt County Road Fund (1200-321); Federal Emergency Management Agency; California Governor's Office of Emergency Services

FINANCIAL IMPACT:

Expenditures (1200-321)	FY24-25
Budgeted Expenses	\$235.00
Total Expenditures	\$235.00
Funding Sources (1200-321)	FY24-25
Federal Funds (FEMA)	\$176.25
State Funds (CalOES)	\$44.06
Road Fund (1200-321)	\$14.69
Total Funding Sources	\$235.00

Total construction costs for Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50 are Three Million Two Hundred Twenty-One Thousand Three Hundred Eighty Dollars and Fifty-Three Cents (\$3,221,380.53). Progress payments totaling Three Million Two Hundred Twenty-One Thousand One Hundred Forty-Five Dollars and Fifty-Three Cents (\$3,221,145.53) have been paid, and the final claim for payment in the amount of Two Hundred Thirty-Five Dollars (\$235.00) is outstanding.

Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50 is funded by the Federal Emergency Management Agency (75%), California Governor's Office of Emergency Services (18.75%), and the Humboldt County Road Fund (6.25%). Expenditure appropriations relating to completion of Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50 are included in the approved fiscal year 2024-2025 budget for budget unit 1200-321. The amount shown in the Financial Impact Table above does not include Progress Payments Number 1 through 6, which total One Million Nine Hundred Forty-Five Thousand Three Hundred Fifty-One Dollars and Twenty-Three Cents (\$1,945,351.23), and Progress Payments Number 7 through 10, which total One Million Two Hundred Seventy-Five Thousand Seven Hundred Ninety-Four Dollars and Thirty Cents (\$1,275,794.30) because this work was performed in fiscal years 2022-2023 and 2023-2024, respectively.

Projects are paid in arrears with anticipated funding coming from the Federal Emergency Management Agency as mentioned above. The fiscal year 2022-2023 Annual Road Report, completed by the State of California, reflected an estimated negative fund balance of Six Million Dollars (\$6,000,000.00) in the Humboldt County Road Fund. Even after allocating nearly Six Million Eight Hundred Thousand Dollars (\$6,800,000.00) of American Rescue Plan Act funds to the Road Fund in order to reduce the negative fund balance, the current estimated fund balance remains negative by approximately Fifteen Million Eight Hundred Thousand Dollars (\$15,800,000.00).

This negative balance is partially due to the timing of Federal Emergency Management Agency reimbursements, which can take years for the County of Humboldt to receive. The current total of outstanding repayments is approximately Seven Million Five Hundred Thousand Dollars (\$7,500,000.00). Public Works utilizes other state and local funding, such as Regional Surface Transportation Program funds, for the Humboldt County Road Fund match for reimbursable projects. Despite those additional funding sources, Road Fund projects are underfunded and will very likely have a negative impact on the General Fund if additional revenue sources are not secured.

STAFFING IMPACT:

The recommended actions will not impact current staffing levels.

OTHER AGENCY INVOLVEMENT:

Federal Emergency Management Agency; California Governor's Office of Emergency Services; California State Parks

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board of Supervisors may choose not to accept Storm Damage Repair to Panther Gap Road (4D010) Post Mile 0.50. However, this alternative is not recommended because the project has been completed, and the recommended actions are needed to accept the contract.

ATTACHMENTS:

1. Contract Change Order Number 8 (Supplement 1)
2. Executed Project Agreement and Change Orders
3. Acceptance Statement

PREVIOUS ACTION/REFERRAL:

Meeting of: 3/5/19; 1/4/22; 6/7/22; 6/7/22; 12/20/22; 12/12/23

File No.: 19-157; 21-1792; 22-678; 22-687; 22-1609; 23-1549