



# COUNTY OF HUMBOLDT

For the meeting of: 12/5/2023

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File #: 23-1548

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**To:** Board of Supervisors

**From:** Public Works

**Agenda Section:** Consent

**Vote Requirement:** Majority

**SUBJECT:**

Consultant Services Agreement with Paragon Partners Consultants, Inc., Regarding the Provision of On-Call Professional Real Estate and Right-of-Way Services

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Approve the selection of Paragon Partners Consultants, Inc. as the consulting firm to provide on-call professional real estate and right-of-way services;
2. Approve and authorize the Chair of the Board to execute, the attached consultant services agreement with Paragon Partners Consultants, Inc. regarding the provision of on-call professional real estate and right-of-way services;
3. Authorize the Public Works Director, or a designee thereof, to execute any and all future task orders issued pursuant to the terms and conditions of the attached consultant services agreement with Paragon Partners Consultants, Inc., after review and approval by County Counsel and Risk Management;
4. Authorize the Public Works Director, or a designee thereof, to execute amendments to the agreement after review and approval by County Counsel, Risk Management and the County Administrative office; and
5. Direct the Clerk of the Board to return one (1) fully executed original copy of the attached consultant services agreement with Paragon Partners Consultants, Inc. to the Department of Public Works for further processing.

**SOURCE OF FUNDING:**

Road Fund (1200); Federal Highway Administration's Emergency Relief Storm Damage Funds and Highway Bridge Program; Federal Emergency Management Agency Public Assistance Grants; California Governor's Office of Emergency Services; Federal Highway Safety Improvement Program; California Transportation Improvement Program; California Active Transportation Program

**DISCUSSION:**

On June 6, 2023, the Humboldt County Department of Public Works advertised a Request for Qualifications (“RFQ”) to retain an experienced and qualified consulting firm for the provision of real estate and right-of-way services on an on-call basis. The RFQ met federal requirements and complied with the latest guidelines from Caltrans Local Assistance Procedures Manual. The RFQ set forth the requirements for the content of Statement of Qualifications and the processes for review, evaluation, selection and contract negotiation with the highest-ranking consultant.

The Public Works Department’s selection committee determined that the Statement of Qualifications submitted by Paragon Partners Consultants, Inc. as the highest ranking and is now returning to the Board of Supervisors in order to award the attached consultant services agreement. The attached consultant services agreement has a term of three (3) years with optional extensions that will not exceed five (5) years. The maximum total amount payable by the county for the services rendered, and costs and expenses incurred, pursuant to the terms and conditions of the attached consultant services agreement shall not exceed \$750,000.

Paragon Partners Consultants, Inc. will be asked to provide specified professional real estate and right-of-way services for specific roadway and capital projects pursuant to task orders issued under the attached consultant services agreement. A detailed scope of services will be prepared for each task order issued pursuant to the terms and conditions of the attached consultant services agreement. Once a task order has been issued by the county, Paragon Partners Consultants, Inc. will be required to perform the agreed upon professional real estate and right-of-way services within the parameters set forth therein.

Accordingly, the Public Works Department recommends that the Board of Supervisors approve, and authorize the Chair of the Board to execute, the attached consultant services agreement with Paragon Partners Consultants, Inc. regarding the provision of the on-call professional real estate and right-of-way services (Attachment 1).

**FINANCIAL IMPACT:**

| <b>Expenditures (1200-Variou s)</b>    | <b>FY23-24<br/>Projected</b>  | <b>FY24-25 &amp;<br/>Ongoing Projected</b>       |
|--|-------------------------------|--|
| Budgeted Expenses                      | \$150,000                     | \$600,000  |
| <b>Total Expenditures</b>              | <b>\$150,000</b>              | <b>\$600,000</b>                                 |
| <b>Funding Sources (1200-Variou s)</b> | <b>FY23-24<br/>Projected*</b> | <b>FY24-25 &amp;<br/>Ongoing Projected<br/>*</b> |
| State/Federal Funds                    | \$150,000                     | \$600,000  |
| <b>Total Funding Sources</b>           | <b>\$150,000</b>              | <b>\$600,000</b>                                 |

*\*Projected amounts are estimates and are subject to change.*

**Narrative Explanation of Financial Impact:**

The maximum amount payable for any and all professional real estate and right-of-way services provided, and costs and expenses incurred, pursuant to the terms and conditions of the attached

consultant services agreement with Paragon Partners Consultants, Inc. shall not exceed \$750,000. Funding is dependent on the type of project for which the services are provided. On-system bridge projects and storm damage road projects are 88.53% funded by the Federal Highway Administration and the remaining 11.47% is funded by the Humboldt County Roads Division. Off-system road storm damage projects are 75% funded by the Federal Emergency Management Agency, 18.75% will be funded by the California Governor's Office of Emergency Services and the remaining 6.25% will be funded by the Humboldt County Roads Division. Projects conducted as part of the Federal Highway Safety Improvement Program and the California Active Transportation and Transportation Improvement Programs are 100% funded by grants offered through the Federal Highway Administration and the California Transportation Commission. The maximum amount payable by the county pursuant to the terms and conditions of each individual task order shall not exceed \$50,000.

There is no financial commitment until the Board approves the consultant services agreement with the selected consulting firm and task orders are issued for specific projects. Prior to issuance of a task order for a project, a supplemental budget approved by the Board of Supervisors will be required to fully fund the cost of services that are to be provided by the task order.

STAFFING IMPACT:

**Narrative Explanation of Staffing Impact:**

It is expected that county staff will be performing right-of-way activities under the direction of the consultant(s) in a collaborative manner. County staff performing right-of-way work consists of a Senior Real Property Agent that is supported by an Administrative Secretary. The use of consultants to perform right-of-way tasks for small projects is intended to be temporary until Public Works staff become qualified by California Department of Transportation (Caltrans) for Level 1 right-of-way status.

STRATEGIC FRAMEWORK:

This action supports the following areas of your Board's Strategic Framework.

Core Roles: Provide for and maintain infrastructure

New Initiatives: N/A

Strategic Plan: N/A

OTHER AGENCY INVOLVEMENT:

California Department of Transportation, Federal Highway Administration

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached agreement with Paragon Partners Consultants, Inc. regarding on-call professional real property and right-of-way services. However, this option is not recommended as Public Works does not have qualified personnel to provide such services for all upcoming roadway construction projects that require the acquisition of right of way.

Without having county staff qualified by Caltrans with Level 1 right-of-way status or retaining a consultant that has Caltrans Level 1 status, or higher, means that the county will not be able to

undertake any roadway construction project that require right-of-way acquisition. This will greatly impact the county's ability to provide for and maintain the county-maintained road system.

In addition, for projects in which design work has commenced, not completing the right of way phase may result in county not being reimbursed for the engineering phase, or the county being required to return any funds dispersed by Caltrans for the project.

**ATTACHMENTS:**

1. FY23-24 Paragon Partners Consultant Inc On-Call Real Estate and Right-of-Way Services Agreement

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: D-23

Meeting of: June 6, 2023

File No.: 23-706