

## Staff Report

TO: Chair and Board Members  
Yolo County Habitat JPA

FROM: Maria Wong  
Executive Director

DATE: May 3, 2010

SUBJECT: Second Amendment to a contract with Berkley Economic Consulting, Inc. for on-going economic services related to the NCCP/HCP planning process.

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### ***Requested Action:***

1. That the Board approve the second amendment to the Agreement with Berkley Economic Consulting, Inc. for on-going economic services related to the NCCP/HCP planning process and authorize the Chair to execute said Amendment to increase the amount of compensation by \$50,000 for a total contract amount of \$130,500 pending approval of contract documents by JPA counsel.
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### BACKGROUND:

Berkley Economic Consulting, Inc. ("BEC") continues to provide specialized economic and modeling assistance during the planning phase of the YNHP. BEC's early involvement in development of the Ag conservation strategy has allowed staff and the YNHP stakeholders to apply an economic lens to the YNHP as policy and biological issues have been sorted out. This second amendment increases the budget and extends the term of the contract through December, 31, 2010.

### DISCUSSION:

BEC'S contribution to developing the draft Ag Conservation Strategy has been invaluable in deciding how the YNHP will incorporate the needs of farmers and ranchers, and translating those needs into the YNHP plan documents. The current scope of work limited BEC's role to preparing and running the Ag probability model, providing input for the development of species goals and targets, and advising the biological arm of the consultant team regarding marketing issues that affect Yolo County's agricultural community. Staff is requesting the budget increase so that BEC will be funded to write specific sections of the draft Ag conservation strategy (since BEC is most familiar with certain aspects of the subject matter) and to participate in upcoming meetings with stakeholders and the wildlife agencies. This amendment does not fund the formal economic analysis that will be required for the full HCP/NCCP plan document. A separate proposal for that work will be submitted after the integrated draft conservation strategy (Chapter 5 of the HCP/NCCP document) is completed in June.

**FISCAL IMPACT**

The contract increase is funded from reprogrammed funds and the 2009 Section 6 grant awarded to the JPA.

**REASON FOR RECOMMENDED ACTION:**

Approval of this Agreement will allow BEC to continue to provide critical economic services. Staff anticipates that continued consultant support will be needed throughout the HCP/NCCP planning process.

Attachment: Draft Second Amended Agreement between Berkley Economic Consulting, Inc. and the JPA.

**SECOND AMENDMENT TO AGREEMENT BETWEEN THE YOLO COUNTY  
HABITAT/NATURAL COMMUNITY CONSERVATION PLAN  
JOINT POWERS AGENCY AND BERKELEY ECONOMIC CONSULTING, INC.**

This Second Amendment to the April 14, 2008 agreement between the parties is made and entered into as of May 3, 2010, by and between the Yolo County Habitat/Natural Community Conservation Plan Joint Powers Agency (“JPA”) and Berkeley Economic Consulting, Inc. (“Contractor”).

**RECITALS**

**WHEREAS**, Contractor was previously retained to provide economic services to the JPA under a contract (the “Agreement”); and

**WHEREAS**, the parties wish to amend the Agreement to extend its term, increase the maximum amount of potential compensation, and to provide for the completion of work to be undertaken by Berkeley Economic Consultants;

**NOW, THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:**

**AGREEMENT**

1. Section 2 of the Agreement is hereby amended to read as follows:

CONTRACTOR shall perform said services between April 14, 2008 and December 31, 2010.

2. Section 3 of the Agreement is hereby amended to read as follows:

Subject to CONTRACTOR's satisfactory and complete performance of all the terms and conditions of this Agreement, and upon CONTRACTOR's submission of an appropriate invoice, COUNTY shall pay CONTRACTOR the rates as reflected in Exhibit A, Fee Schedule, in an amount not to exceed \$130,500.

3. Except as specifically amended by this document and by prior amendments to the original Agreement, the original Agreement shall remain in full force and effect according to its terms.

*[This section intentionally left blank]*

BERKELEY ECONOMIC CONSULTING, INC.  
Second Contract Amendment  
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**IN WITNESS WHEREOF**, the parties hereto have executed this agreement as of the day and year first written above.

YOLO COUNTY HCP/NCCP JOINT  
POWERS AGENCY

BERKELEY ECONOMIC  
CONSULTING, INC.

By \_\_\_\_\_  
Helen M. Thomson, Chairwoman

By \_\_\_\_\_  
Dave Sunding, Principal, BEC, Inc.  
Professor, U.C. Berkley

Approved as to Form:

\_\_\_\_\_  
Robyn Truitt Drivon, County Counsel  
By Philip J. Pogledich, Senior Deputy  
Attorneys for the Yolo County  
Habitat/Natural Community Conservation Plan  
Joint Powers Agency

EXHIBIT B  
SCOPE OF WORK

The scope of work for the next phase of BEC's work on the Yolo County Natural Heritage Program is described below and follows the four components outlined below:

**Economic analysis of the agricultural strategy**

The first element of the scope of work is to complete the economic analysis of the agricultural strategy. This element involves using the conservation targets being developed by SAIC, in conjunction with our land allocation model of Yolo County, to develop probabilities and identify areas that are most likely to need public intervention to achieve goals.

**Implementing tools, including cost analysis**

Next, BEC will start identifying policy tools that can implement the conservation goals for agricultural land in the county. These tools may include easements, price incentives and other tools. We will also assess how the mix of interventions may change over time as the funding picture changes and as more is known about particular species using agricultural lands.

**Preserve design and costs**

The third component is to assist with the preserve design. A major part of this analysis will be to assess the cost of various alternatives.

**Economic and financial analysis of the overall plan and funding options**

Finally, BEC will conduct an economic and financial analysis of the plan and help to identify funding options. Potential sources of funding include monies generated by future development in the county, surcharges on certain agricultural activities, general fund revenues, third party financing (e.g., foundation support) and other alternatives. The analysis will discuss overall costs as well as expected annual costs throughout the duration of the program, together with a risk analysis that measures the effects of changes in the agricultural economy and in the amount and timing of urban development, among other factors.

The work described here can be carried out for a total of \$130,500.00 using the same discounted rates offered to Habitat JPA in the first phase of the work.