



County of Monterey

Item No.

Board Report

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legistar File Number: A 24-347

July 16, 2024

Introduced: 6/27/2024

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve Amendment No. 1 to Professional Services Agreement No. A-15517 with Benchmark Land Use Group, Inc., dba Benchmark Resources for State of California Surface Mining and Reclamation Act (SMARA) annual inspection services, ordinance updates, compliance review, mine site closure, and other services as needed increasing the Agreement amount of \$311,898 by \$231,123 for a new not to exceed amount of \$543,021 and extending the term two years to July 31, 2026; and
- b. Authorize the Contracts/Purchasing Officer or their designee to execute Amendment No. 1 to Professional Services Agreement A-15517 and one future amendment to the Agreement where the amendment does not significantly alter the scope of work or increase the approved Agreement amount by more than 10% (\$54,302) for a potential overall Agreement aggregate not to exceed amount of \$597,323.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 1 to Professional Services Agreement No. A-15517 with Benchmark Land Use Group, Inc., dba Benchmark Resources for State of California Surface Mining and Reclamation Act (SMARA) annual inspection services, ordinance updates, compliance review, mine site closure, and other services as needed increasing the Agreement amount of \$311,898 by \$231,123 for a new not to exceed amount of \$543,021 and extending the term two years to July 31, 2026; and
- b. Authorize the Contracts/Purchasing Officer or their designee to execute Amendment No. 1 to Professional Services Agreement A-15517 and one future amendment to the Agreement where the amendment does not significantly alter the scope of work or increase the approved Agreement amount by more than 10% (\$54,302) for a potential overall Agreement aggregate not to exceed amount of \$597,323.

SUMMARY/DISCUSSION:

Professional Services Agreement A-15517 (PSA) (Attachment 1) procures State of California Surface Mining and Reclamation Act (SMARA) annual inspection services for the County of Monterey Housing and Community Development Department (HCD) under Request for Proposals No. 10761. Amendment No. 1 (Attachment 2) to the PSA expands the scope of services by replacing the existing Exhibit A and extends the term two years to July 31, 2026 for a new not to exceed amount of \$543,021.

There are a total of 12 active mines in Monterey County (see "Attachment 1 to Exhibit A" in Attachment 1) each requiring inspection on an annual basis. Amendment No. 1 provides for the annual inspections, as well as allowing for condition compliance review, surface mining ordinance update, closure of one mine, and preparation of letters and reports to the Department of Mine

Reclamation (DMR).

In 2021 Benchmark Land Use Group, Inc., dba Benchmark Resources was selected to provide these services through a competitive selection process (RFP No. 10761) in accordance with County policies and State laws.

As noted above, Amendment No. 1 provides for the closure of the Carmel Stone Mine (CA Mine ID: 91-27-0030), previously declared as abandoned by the Board of Supervisors on September 19, 2023 (Legistar File ID No. 23-690). Closure of this mine is in process with expected completion in late 2024.

The State Mining and Geology Board (SMGB) is reviewing and requesting updates to County ordinance. This Amendment adds Task 1.5, County Ordinance Update, to the Scope of Services for Benchmark Resources to bring the County's ordinance up to date and into SMARA compliance (Chapter 16.04 of the County of Monterey Code of Ordinances).

OTHER AGENCY INVOLVEMENT:

The Offices of the County Counsel and Auditor-Controller have reviewed Amendment No. 1 as to form and fiscal provisions, respectively.

FINANCING:

These services are budgeted annually and funded by Surface Mine Permit Fees. The FY2024-25 Adopted Budget for the HCD, Appropriation Unit HCD002, Unit 8543 includes these estimated revenues and expenditures.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The recommended action allows for SMARA inspections to ensure that mine operators are compliant with County policies and State laws and supports the Board of Supervisors' Strategic Initiative as indicated below:

	Economic Development
<u>X</u>	Administration
<u> </u>	Health and Human Services
<u> </u>	Infrastructure
<u> </u>	Public Safety

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Reviewed by: Lori Woodle, Finance Manager I, 759-6682

Approved by: Craig W. Spencer, Director **CS**

The following attachments are on file with the Clerk of the Board:

Attachment 1 - PSA A-15517

Attachment 2 - Amendment No. 1

