



County of Monterey

Item No.68

Board Report

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

Legistar File Number: A 26-335

August 11, 2026

Introduced: 7/24/2026

Current Status: Housing & Community
Development - Consent

Version: 1

Matter Type: BoS Agreement

Authorize the Contracts Purchasing Agent to execute Amendment No. 3 to Professional Services Agreement A-15517 with Benchmark Land Use Group, Inc., dba Benchmark Resources to provide 2026 inspections and related services pursuant to the Surface Mining and Reclamation Act for the not-to-exceed amount of \$651,948 and extend the contract termination date from October 31, 2026, to March 31, 2027.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 3 to Professional Services Agreement A-15517 with Benchmark Land Use Group, Inc., dba Benchmark Resources to provide 2026 inspections and related services pursuant to the Surface Mining and Reclamation Act for the not-to-exceed amount of \$651,948 and extend the contract termination date from October 31, 2026, to March 31, 2027; and
- b. Authorize the Contracts Purchasing Agent to execute Amendment No. 3 with Benchmark Land Use Group, Inc., dba Benchmark Resources.

SUMMARY:

To ensure continuity of required inspection and reporting services while the Housing and Community Development Department (HCD) completes its competitive procurement for future surface mine inspection services, a limited bridge amendment to the existing Surface Mining and Reclamation Act (SMARA) Compliance Program Agreement with Benchmark Land Use Group, Inc., dba Benchmark Resources ("Benchmark") is needed.

DISCUSSION:

The County has 12 active surface mines, each requiring inspection on an annual basis. The inspections also include condition compliance review, and submission of letters and reports to the County and the Department of Conservation's Department of Mine Resources.

In late April 2021, the County began a competitive selection process in accordance with County policies with the issuance of Request for Proposals No. 10761, Monterey County Surface Mining and Reclamation Act (SMARA) Compliance Program, to which Benchmark provided a responsive proposal. The County entered into Professional Services Agreement A-15517 with Benchmark on September 1, 2021, in the amount of \$311,898 for a term of September 1, 2021, through July 31, 2024.

The Agreement was amended on July 23, 2024 ("Amendment No. 1") to extend the Agreement two

years to July 31, 2026, expanded services to update the County's Ordinance, and added funds in the amount of \$231,123 for an updated Agreement amount of \$543,021.

On May 5, 2026, the Agreement was amended to revise the amount of the Ordinance budget by adding \$12,500, increase the Agreement by \$18,000 to support further Ordinance work for a new not-to-exceed amount of \$573,521, and extended the Agreement to October 31, 2026, to complete the Ordinance update. The requested Amendment would extend the Agreement an additional five months, to March 31, 2027, and increase the not-to-exceed amount to \$651,948.

The existing Agreement provides for annual surface mine inspections through the 2025 inspection year, which concluded on June 30, 2026. HCD has initiated a new competitive procurement process with the issuance of Request for Qualifications No. 10974 ("RFQ") for future surface mine inspection services. Responses are due August 21, 2026. Once proposals are received, they must be evaluated, a contractor chosen, and a contract negotiated and executed upon Board of Supervisors' approval. The anticipated timeline for completion of the procurement process does not allow enough time for execution of a successor agreement before inspections must begin. A lapse in inspection services would prevent the County from completing required inspections and could impact the County's ability to fulfill its regulatory responsibilities.

The proposed amendment is needed to provide continuity of required inspection services during the transition period between the existing Agreement and the successor agreement resulting from the County's competitive procurement process.

The amendment is limited in purpose and scope and will:

- ☐ Authorize completion of the 2026 inspection cycle;
- ☐ Utilize the existing contract pricing structure of a fixed fee per completed mine inspection;
- ☐ Establish a not-to-exceed amount based on the anticipated number of inspections;
- ☐ Allow completion of required inspection reports, revisions, and related documentation associated with the 2026 inspection cycle; and
- ☐ Terminate upon completion of the 2026 inspection cycle and associated reporting obligations, or upon execution of a successor agreement, whichever comes first.

OTHER AGENCY INVOLVEMENT:

The Offices of the County Counsel and Auditor-Controller have reviewed Amendment No. 3 as to form and fiscal provisions, respectively.

FINANCING:

These services are budgeted annually and funded by Surface Mine Permit Fees. The FY2026-27 Adopted Budget for HCD000, 1001, Department 310002, includes these estimated revenues and expenditures.

BOARD OF SUPERVISORS STRATEGIC PLAN GOALS:

The recommended action maintains continuity of services by allowing 2026 SMARA inspections. It ensures that the County meets County and State regulations and requirements. Additionally, it makes

sure that mine operators are compliant with County policies and State laws and supports the Board of Supervisors' Strategic Initiative as indicated below:

Well-Being and Quality of Life
Sustainable Infrastructure for the Present and Future
Safe and Resilient Communities
Diverse the Thriving Economy
Dynamic Organization and Employer of Choice

 X Other

Prepared by: Kathy Nielsen, Management Analyst II, 755-4832

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

Approved by: Craig Spencer, Director

The following attachment is on file with the Clerk of the Board”

Attachment 1 - Draft Amendment No. 3

Attachment 2 - Agreement Summary

Attachment 3 - Active Mines