



Monterey County

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Board Report

Legistar File Number: A 18-066

March 20, 2018

Introduced: 3/6/2018

Current Status: Agenda Ready

Version: 1

Matter Type: BoS Agreement

- a. Approve Amendment No. 6 to Professional Services Agreement No. A-12755, Multi-Year Agreement #3000*364, with ES Engineering Services, LLC, a Delaware limited liability company to continue to provide on-call landfill monitoring services, Request for Qualifications #10249, to update the Fee Schedule and extend the expiration date for one (1) additional year through March 21, 2019, for a revised term from March 21, 2012 to March 21, 2019 with an increase in the not to exceed the amount of \$500,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 6 to the Professional Services Agreement.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 6 to Professional Services Agreement No. A-12755, Multi-Year Agreement #3000*364, with ES Engineering Services, LLC, a Delaware limited liability company to continue to provide on-call landfill monitoring services, Request for Qualifications #10249, to update the Fee Schedule and extend the expiration date for one (1) additional year through March 21, 2019, for a revised term from March 21, 2012 to March 21, 2019 with an increase in the not to exceed the amount of \$500,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 6 to the Professional Services Agreement.

SUMMARY:

Monterey County entered into a Professional Services Agreement (PSA) with ES Engineering in March 2012 following a formal bidding process. That original agreement was for two (2) years and \$100,000. Over the last five (5) years, there have been multiple amendments extending the time through March 2018 and increasing the amount to \$500,000. Attachments A-G provide all the prior agreements, and Attachment H provides a summary of all the amendments. Resource Management Agency (RMA) is requesting an extension of time through March 21, 2019 (with no increase to the not to exceed amount) while a new Request for Qualifications (RFQ) for on-call landfill monitoring services is processed.

RMA has established several on-call agreements by prequalifying professional firms in specialized fields. The purpose of having on-call consultants is to expedite the procurement process when needing specialized expertise from a professional firm when County staff lacks the expertise or the volume of work exceeds RMA's capacity. These on-call agreements are utilized across the RMA and at times used by other County Departments for specialized expertise in operations, management and specific facility, and capital projects.

DISCUSSION:

State regulations require monitoring and reporting for three (3) of the ten (10) County owned closed landfills for up to thirty (30) years after closure. Additionally, the statewide Industrial General Permit which was adopted by the State effective July 1, 2015, requires more frequent monitoring events and revisions to the Storm Water Pollution Prevention Plan (SWPPP). Therefore, RMA has identified a need for ES Engineering Services, LLC, a Delaware Limited Liability Company (hereinafter, "ES"), to continue to provide services associated with on-call landfill management and assist Special Districts Division staff in areas related to State and Federal mandates for landfill site inspections, stormwater and groundwater testing, annual detection monitoring reports, as well as analysis and strategies for continued administration of closed landfills within regulatory parameters.

Amendment No. 6 to the PSA between the County and ES will update the Fee Schedule effective upon the date of final execution of Amendment No. 6 and extend the expiration date from March 21, 2018 for one (1) additional year through March 21, 2019, beyond the anticipated five (5) year PSA term allowed per Request for Qualifications (RFQ) #10249 while County staff works to procure these services under a new RFQ.

Attachment H provides a summary of the PSA to date. Attachment I provides a summary of the annual expenditures and balance of the PSA.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and Auditor-Controller's Office have reviewed and approved Amendment No. 6 as to form and legality, and fiscal provisions, respectively.

FINANCING:

The Fiscal Year (FY) 2017-18 adopted County Disposal Sites budget (fund 001, department 3000, budget unit 8175, appropriations unit RMA039) provides sufficient funding to support the services provided by ES Engineering as outlined in the PSA. These services meet State and Federal mandates for reporting, monitoring, and testing of closed landfill sites. Since this is the sixth amendment to this agreement, special districts staff will proceed with a Request for Qualifications (RFQ) to ensure competitive bidding practices are followed. This RFQ process will be implemented prior to the expiration of the proposed Amended No. 6.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

Amendment No. 6 will allow for the best environmental practices for County facilities and operations and will ensure that proper adherence of mandated inspections, storm and groundwater testing, and reporting related to the operations and maintenance of the closed landfills.

- Economic Development
- Administration
- Health and Human Services
- Infrastructure
- Public Safety

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Approved by: Shawne Ellerbee, RMA Deputy Director of Administrative Services
Approved by: Carl P. Holm, AICP, RMA Director

Dated: February 23, 2018

Attachments:

Attachment A - Amendment No. 6 to PSA

Attachment B - Amendment No. 5 to PSA

Attachment C - Amendment No. 4 to PSA

Attachment D - Amendment No. 3 to PSA

Attachment E - Amendment No. 2 to PSA

Attachment F - Amendment No. 1 to PSA

Attachment G - PSA

Attachment H - Summary of PSA

Attachment I - Summary of Annual Expenditures and Balance of PSA

(Attachments on file with the Clerk of the Board)