



Monterey County

Board of Supervisors

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

Legistar File Number: A 21-033

February 09, 2021

Introduced: 1/29/2021

Current Status: General Government -
Consent

Version: 1

Matter Type: BoS Agreement

- a. Approve Amendment No. 4 to Professional Services Agreement No. A-12648 with Wood Environment & Infrastructure Solutions, Inc. (formerly Amec Foster Wheeler Environment & Infrastructure, Inc.) to continue to provide consulting engineering services for the San Lucas Water District Public Water Supply Replacement Project, under Request for Qualifications (RFQ) #10433, to extend the expiration date for approximately seventeen (17) additional months through June 30, 2022, for a revised term from February 19, 2014 to June 30, 2022, with no associated dollar amount increase to the total not to exceed amount of \$440,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to Professional Services Agreement No. A-12648; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute up to three (3) future amendments to Professional Services Agreement No. A-12648 to extend the term beyond the original term authorized in Request for Proposals #10433 where the amendments do not significantly alter the scope of work or increase the approved Agreement amount, subject to review and approval by the Office of the County Counsel as to form.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 4 to Professional Services Agreement No. A-12648 with Wood Environment & Infrastructure Solutions, Inc. (formerly Amec Foster Wheeler Environment & Infrastructure, Inc.) to continue to provide consulting engineering services for the San Lucas Water District Public Water Supply Replacement Project, under Request for Qualifications (RFQ) #10433, to extend the expiration date for approximately seventeen (17) additional months through June 30, 2022, for a revised term from February 19, 2014 to June 30, 2022, with no associated dollar amount increase to the total not to exceed amount of \$440,000; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 4 to Professional Services Agreement No. A-12648; and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute up to three (3) future amendments to Professional Services Agreement No. A-12648 to extend the term beyond the original term authorized in Request for Proposals #10433 where the amendments do not significantly alter the scope of work or increase the approved Agreement amount, subject to review and approval by the Office of the County Counsel as to form.

SUMMARY:

In order to assist the San Lucas County Water District (District) to achieve a permanent long-term public water supply for its customers in the community of San Lucas, the County applied for State

Water Resource Control Board's (Water Board) Drinking Water State Revolving Fund (DWSRF) funding to implement the engineering, environmental, and permitting tasks necessary to develop the new water source. On February 11, 2014, the Board of Supervisors (BOS) approved Professional Services Agreement (PSA) No. A-12648 with Wood Environment & Infrastructure Solutions, Inc. ("Wood Environment" formerly Amec Foster Wheeler Environment & Infrastructure, Inc.), funded with grant monies awarded from the DWSRF, to provide a variety of pre-construction tasks related to developing a new permanent long-term public water supply for the District.

The 2014 DWSRF grant award is closed. In November 2018, the County, on behalf of the District, submitted a grant proposal to the Water Board for additional DWSRF monies to advance the project. The Water Board has not completed its review of the proposal and the project is on hold pending state funding. This action is a no cost extension of the Woods Environment contract, so it remains active though still on hold, while staff continues to work with the State Board to provide funding for this project.

DISCUSSION:

The community of San Lucas is a small, predominately farmworker village in south Monterey County. The San Lucas County Water District (District) operates the community's drinking water and wastewater systems and has approximately 85 service connections. The District's water supply is derived from a single groundwater well located in the center of an agricultural field about one (1) mile south of the community. The District has very limited financial capacity and operational capacity.

Since 2003 the County of Monterey (County) has provided ongoing assistance to the District to upgrade its water and wastewater systems with the goal of supporting the existing community and providing additional affordable housing. Since March 2011 all customers of the District have been on an indefinite "Do Not Drink" order from the County Health Department - Environmental Health Bureau (EHB), regulator of the public water supply, due to excessive levels of nitrates in water being pumped from the District's single well.

On February 11, 2014, the Board of Supervisors (BOS) approved Professional Services Agreement (PSA) No. A-12648 with Wood Environment & Infrastructure Solutions, Inc. (formerly Amec Foster Wheeler Environment & Infrastructure, Inc.), to provide a variety of tasks related to the analysis of alternatives, selection of a preferred option, preparation of pre-environmental design, environmental review, final engineering, right-of-way acquisition, and permitting to provide a new permanent long-term public water supply for the San Lucas Water District (hereinafter, Project) under Request for Qualifications (RFQ) #10433 in an amount not to exceed \$440,000 for an initial term commencing on February 19, 2014 through September 30, 2016. The Contractor was initially selected for their expertise and capabilities necessary to provide these services through a competitive selection process in accordance with County policies and State laws under RFQ #10433.

On July 12, 2018, the District's Board of Directors (BOD) requested and authorized the County to continue to assist the District's efforts to seek additional funding, including but not limited to, submittal of an application to the State Board for project-level feasibility studies and preconstruction activities related to providing a long-term reliable water supply for the District.

On November 5, 2018, the County applied for additional funding from the state DWSRF for a project-level feasibility study for the treated groundwater alternative, additional feasibility study of the alternative to consolidate with King City's Cal Water, comparison of these analyses with the completed Preliminary Engineering Report for the proposed King City Intertie Pipeline alternative and completion of the environmental analysis, final engineering, acquisition of property and easements, acquisition of permits, and preparation of bid documents for the selected Project.

The County and District have concerns with these three alternatives due to construction costs, permitting and /or operation requirements. New information is now available suggesting an alternative project utilizing the existing (interim) well with storage tank dilution/treatment as a viable alternative for the community. The County has participated in recent discussions with the Supervisor Chris Lopez's office, the District, State Board and San Lucas stakeholders regarding this alternative, and the County has requested the Water Board consider this possible alternative.

Approval of the proposed Amendment No. 4 will allow additional time to receive anticipated funds from Water Board to allow County and Contractor to modify the original scope and budget to allow Contractor to continue to provide services associated with completion of the Project Amendment No. 4 will extend the expiration date from February 19, 2021 for approximately seventeen (17) additional months to June 30, 2022 (beyond the anticipated five (5) year term allowed per RFP #10433 for a total term of eight (8) years and approximately five (5) months), with no associated dollar amount increase.

Attachment A provides a summary of the PSA to date and Attachment B provides a summary of the PSA current annual expenditures and balance.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller's Office have reviewed and approved Amendment No. 4 as to form, and fiscal provisions, respectively.

On September 18, 2012 the District's BOD approved Resolution No. 81-2012 authorizing the County to continue to assist the District's efforts to improve its community water supply by acting on its behalf to seek funding and to prepare the necessary engineering and environmental studies and reports, acquire rights-of-way, apply for permits, and construct a new municipal water supply project.

The Water Board continues to support providing funding for the County to assist the District to replace its permanent long-term water supply. The Water Board has stated its concurrence that Contractor should be retained to provide the additional studies necessary to determine the preferred project alternative, and to complete the scope of services to implement the selected project.

Multi-agency staff from the State of California Regional Water Quality Control Board, and the County's Housing and Community Development Department, EHB, and Water Resources Agency continue to participate in development of the Project.

FINANCING:

Staff time to process this contract amendment is funded as part of the Fiscal Year 2020-21 Adopted Budget, General Fund, Appropriation Unit RMA013. There are no costs associated with this Amendment No. 4. Staff time to process this amendment may be retroactively funded, and future costs for the PSA will be fully funded, by the DWSRF grant funds, once awarded.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

With the assistance of State funding for which the County has applied, the District's customers will have a new permanent and long-term public water supply. These funds will be instrumental in implementation of the necessary tasks required for new water source development. The recommended action complies with the Board of Supervisors' Strategic Initiatives for Health and Human Services and Infrastructure.

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

Prepared by: Kathleen Nielsen, Management Analyst II, Housing & Community Development - Special Programs, 755-4832

Approved by: Melanie Beretti, Housing & Special Programs Manager, Housing & Community Development, 755-5285 MB

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

- Attachment A - Summary of PSA
- Attachment B - Summary of PSA Annual Expenditures and Balance
- 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