



Monterey County

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Board Report

Legistar File Number: 18-979

September 25, 2018

Introduced: 9/19/2018

Current Status: Agenda Ready

Version: 1

Matter Type: General Agenda Item

Approve and authorize the County Counsel's Office to execute the attached Amendment #4, with Kennedy/Jenks Consultants, in an amount not to exceed \$110,000, for a total contract amount of \$188,500, for the period March 1, 2016 extended to September 1, 2020, to begin work on the installation of a bioventing system at Lake San Antonio required by the California State Water Resources Control Board and Regional Board ("Water Boards") to address fuel spill remediation at the lake.

RECOMMENDATION

Approve and authorize the County Counsel's Office to execute the attached Amendment #4, with Kennedy/Jenks Consultants, in an amount not to exceed \$110,000, for a total contract amount of \$188,500, for the period March 1, 2016 extended to September 1, 2020, to begin work on the installation of a bioventing system at Lake San Antonio required by the California State Water Resources Control Board and Regional Board ("Water Boards") to address fuel spill remediation at the lake.

DISCUSSION:

The CAO-Budget and Analysis Division requested County Counsel/Risk Management Division to assume responsibility for the remediation payment and tracking of the fuel spill costs at the Lakes Resort on behalf of the County. County Counsel Risk/Management Division requested and received support from the Board of Supervisors to authorize the transfer of General Fund Contingency funds for \$1,018,685 to the newly created Lakes Fuel Spill Budget Unit 8429 (now included in the County Budget under "Enterprise Risk Budget Unit 8429") for remediation costs related to the San Antonio and Nacimiento Lakes fuel spill. The transfer was approved by the Board of Supervisors on June 11, 2013. The Budget Unit has continued to be funded in the annual budget process, and currently has a balance of \$110,000 available for these purposes.

The County initially entered into a contract with Kennedy/Jenks Consultants for work at Lake San Antonio in 2016, and continues utilizing the services of the firm for the required work needed to support monitoring and reporting on environmental remediation at the lake. The agreement with Kennedy/Jenks was last amended in March of 2018 increasing the total amount payable to an amount not to exceed \$78,500 for the period through February 28, 2019. Copies of the original contract and amendments 1, 2 and 3 are attached.

A "bioventing system" is now required by the Water Boards, and is designed to reduce the contaminant mass in the ground in and around the lake where the fuel spill occurred. As mentioned, the Budget Unit has \$110,000 available to begin work on the project; however, the total estimated cost for this project is \$625,000, so additional funding will be necessary. County Counsel - Risk

Management is working with the CAO - Budget Office to identify a supplementary budgetary transfer for additional needed funding to Enterprise Risk Budget Unit #8429, to properly fund the full amount of work. County Counsel/Risk Management now requests the County of Monterey Board of Supervisors approve and authorize the County Counsel to immediately execute the above described Amendment #4 with Kennedy/Jenks Consultants, extending the existing contract from February 28, 2019 to September 1, 2020, to initiate the project with the \$110,000 funding. The proposed amendment including a Remediation Project Timeline and Scope of Work and Service Costs, is enclosed.

OTHER AGENCY INVOLVEMENT:

The RMA has been consulted regarding the proposed action.

FINANCING:

The above described Amendment #4 will be funded from the Enterprise Risk Budget Unit #8429, Appropriate Unit COU006, which has current funding of \$110,000. However, the total estimated project cost is \$625,000, therefore additional funding is going to be necessary. County Counsel will work with the CAO - Budget Office to identify a funding source for the additional necessary amount of \$515,000 to complete the work, and return to the Board for approval.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action addresses the public health, safety and welfare at Lake San Antonio by remediating a hazardous fuel spill.

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

Prepared by:

Approved by:

Steve Mauck

Leslie J. Girard,
Chief Assistant County Counsel

enclosures: Proposed Amendment #4; original agreement & amendments #1, #2, and #3