



Legislation Details (With Board Report)

File #: 19-0145 **Name:** Kennedy-Jenks, Amend. 5
Type: General Agenda Item **Status:** Passed - County Counsel Office
File created: 3/11/2019 **In control:** Board of Supervisors
On agenda: 3/19/2019 **Final action:** 3/19/2019

Title: Approve and authorize the County Counsel's Office to execute the attached Amendment #5, with Kennedy/Jenks Consultants, in an amount not to exceed \$495,000, for a new total contract amount of \$683,500, for the period March 1, 2016 extended to September 1, 2022, for the construction, testing, reporting and oversight of a bioventing system at the Lake San Antonio Resort/Marina site, required by the California State Water Resources Control Board and Regional Board ("Water Boards") to address fuel spill remediation at the lake, to be funded from County Counsel - Enterprise Risk (001-1210-8429-COU006).

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Kennedy-Jenks - Proposed amend 5 San Antonio w-Ex A (2), 3. Kennedy-Jenks - San Antonio contract, 4. Kennedy-Jenks - amend 1 San Antonio contract, 5. Kennedy-Jenks - amend 2 San Antonio contract, 6. Kennedy-Jenks - amend 3 San Antonio contract, 7. Kennedy-Jenks - amend 4 San Antonio final all sigs, 8. 16. Completed Board Order

Date	Ver.	Action By	Action	Result
3/19/2019	1	Board of Supervisors	approved - county counsel	Pass

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RECOMMENDATION:

It is recommended that the Board of Supervisors:

Approve and authorize the County Counsel's Office to execute the attached Amendment #5, with Kennedy/Jenks Consultants, in an amount not to exceed \$495,000, for a new total contract amount of \$683,500, for the period March 1, 2016 extended to September 1, 2022, for the construction, testing, reporting and oversight of a bioventing system at the Lake San Antonio Resort/Marina site, required by the California State Water Resources Control Board and Regional Board ("Water Boards") to address fuel spill remediation at the lake, to be funded from County Counsel - Enterprise Risk (001-1210-8429-COU006).

SUMMARY/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 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 September of 2018, adding \$110,000, increasing the total amount payable to an amount not to exceed \$188,500 for the period through September 1, 2020. Copies of the original contract and amendments 1, 2 3 and 4 are attached.

The “bioventing system” is 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. Work commenced with the adoption of Amendment #4 utilizing a portion of the added \$110,000; however, as referenced in that Board Report, additional funds (in the amount of \$495,000) were anticipated to be necessary to complete the project. In addition, the term of the contract now needs to be extended to September 1, 2022 to complete the work.

The Budget Unit has sufficient funding for completion of the project, and County Counsel/Risk Management now requests the Board of Supervisors approve and authorize the County Counsel to execute an Amendment #5 with Kennedy/Jenks Consultants, extending the existing contract to September 1, 2022, and adding \$495,000 to complete the project. 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 #5 will be funded from Enterprise Risk (001-1210-8429-COU006), which has current funding of \$710,000.

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:

Steve Mauck, Principal Risk and Benefits Analyst, ext. 3006 Date

Approved by:

Leslie J. Girard, Chief Assistant County Counsel, ext. 5365 Date

Enclosures: Proposed Amendment #5; Original Agreement & Amendments 1 - 4