



Legislation Text

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**Memorandum**

**Date:** June 18, 2024

**To:** The Honorable Lake County Board of Supervisors

**From:** Scott De Leon, Water Resources Director

**Subject:** (Sitting as the Board of Directors Lake County Watershed Protection District) a) Waive the Competitive Bidding Process per County Code Section 2-38.2(3) No Economic Benefit to the County, and; b) Approve Engineering Services Agreement for Staff Augmentation Services between the Lake County Watershed Protection District and Coastland Civil Engineering, LLP and authorize the Chair to sign the Agreement

**Executive Summary:**

In November, 2023, your Board approved an Engineering Services Agreement with Coastland Civil Engineering, LLP (Coastland) to provide on-call staff augmentation services for the Engineering and Inspection Division of the Department of Public Works. The Water Resources Department seeks to utilize Coastland for similar engineering support services; however the current agreement is specific to the Department of Public Works and considering the recent Board action to separate the Departments, staff feels it is necessary to have separate agreements. Today's item is for your Board to approve an Engineering Services Agreement between Coastland and the Watershed Protection District, which will allow the Water Resources Department to use Coastland for engineering support.

Staff recommends that your Board waive the competitive bidding process in accordance with County Code Section 2-38.2(3) and find that a competitive bid would produce no economic benefit to the County. The Department of Public Works performed a competitive procurement for staff augmentation services, and the Request for Proposal (RFP) process resulted in a single proposal from Coastland. Considering only six months have passed, staff feels it is likely a new RFP will have a similar low response. Furthermore, the Water Resources Department has been without a Water Resources Engineer since June, 2023, and with the pending retirement of the Director (who has been performing the engineering functions for the Department) time is of the essence to secure an engineering consultant.

It should be noted that staff is not recommending a waiver of the competitive process based on County Code Section 2-38.4 *Cooperative Purchases*, as professional services are not eligible for that exemption. Rather, we are arguing that due to the limited interest and single response received for a recent RFP for the same services, there is no economic benefit to spending staff time for a duplicate

procurement process when the outcome is likely to be the same.

**If not budgeted, fill in the blanks below only:**

Estimated Cost: \_\_\_\_\_ Amount Budgeted: \_\_\_\_\_ Additional Requested: \_\_\_\_\_ Future Annual Cost: \_\_\_\_\_

**Purchasing Considerations** (check all that apply):  Not applicable

Fully Article X. <[https://library.municode.com/ca/lake\\_county/codes/code\\_of\\_ordinances?nodeld=COOR\\_CH2AD\\_ARTXPU\\_S2-38EXCOBI](https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeld=COOR_CH2AD_ARTXPU_S2-38EXCOBI)>- and/or Consultant Selection Policy <[http://lcnnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4\\_2021v2.pdf](http://lcnnet.co.lake.ca.us/Assets/Intranet/Policy/Policies+26+Procedures+Manual/Ch4_2021v2.pdf)>-Compliant (*describe process undertaken in "Executive Summary"*)

Section 2-38 <[https://library.municode.com/ca/lake\\_county/codes/code\\_of\\_ordinances?nodeld=COOR\\_CH2AD\\_ARTXPU\\_S2-38EXCOBI](https://library.municode.com/ca/lake_county/codes/code_of_ordinances?nodeld=COOR_CH2AD_ARTXPU_S2-38EXCOBI)> Exemption from Competitive Bidding (*rationale in "Executive Summary," attach documentation, as needed*)

For Technology Purchases: Vetted and Supported by the Technology Governance Committee <<http://lcnnet.co.lake.ca.us/Assets/Intranet/Intranet+Forms/Information+Technology/AdvPlan.pdf>> ("Yes," if checked)

Other (*Please describe in Executive Summary*)

**Consistency with Vision 2028** <<http://www.lakecountyca.gov/Government/Directory/Administration/Visioning/Vision2028.htm>>

(check all that apply):

Not applicable

Well-being of Residents

Public Safety

Disaster Prevention, Preparedness, Recovery

Economic Development

Infrastructure

County Workforce

Community Collaboration

Business Process Efficiency

Clear Lake

**Recommended Action:**

Staff recommends that the Board of Supervisors: a) Waive the Competitive Bidding Process per County Code Section 2-38.2(3) determining that there is No Economic Benefit to the County, and b) Approve Engineering Services Agreement for Staff Augmentation Services between the Lake County Watershed Protection District and Coastland Civil Engineering, LLP and authorize the Chair to sign the Agreement.