



Legislation Text

File #: 24-41, Version: 1

Memorandum

Date: January 9, 2024

To: The Honorable Lake County Board of Supervisors

From: Lloyd C. Guintivano, County Counsel

Subject: Consideration to: (a) Waive the competitive bidding procedures pursuant to Lake County Code Section 2-39.2 and Section 1.C.2 of the County’s Consultant Selection Policy; and (b) Approve Amendment One to Retention Agreement Between Friedman & Springwater LLP and the County of Lake increasing the contract amount by \$15,000, not to exceed \$40,000 and authorize the Chair to sign.

Executive Summary:

On August 30, 2023, your Board approved the retention agreement between the County of Lake and Friedman & Springwater LLP for legal representation in Proceeding No. P-77, the Potter Valley Project, currently pending before the Federal Energy Regulatory Commission and related matters regarding a proposal by Pacific Gas and Electric Company to de-commission the Potter Valley Project. Based on the costs incurred to date, Friedman & Springwater LLP anticipates incurring costs exceeding the \$25,000 cap stated in the retention agreement. Therefore, the amendment proposes to increase the cap by \$15,000.

This agreement is exempt from competitive bidding procedures pursuant to Lake County Code Section 2-39.2 and Section 1.C.2 of the County’s Consultant Selection Policy.

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?nodeId=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?nodeId=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):

- | | | |
|--|--|--|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Not applicable | <input type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input type="checkbox"/> Economic Development | <input type="checkbox"/> Public Safety | <input type="checkbox"/> County Workforce |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Clear Lake |
| | <input type="checkbox"/> Business Process Efficiency | |

Recommended Action:

(a) Waive the competitive bidding procedures pursuant to Lake County Code Section 2-39.2 and Section 1.C.2 of the County’s Consultant Selection Policy; and

(b) Approve Amendment One to Retention Agreement Between Friedman & Springwater LLP and the County of Lake increasing the contract amount by \$15,000, not to exceed \$40,000 and authorize the Chair to sign.