



## Legislation Details (With Text)

**File #:** 20-348      **Version:** 2      **Name:**  
**Type:** Agreement      **Status:** Approved  
**File created:** 4/13/2020      **In control:** BOARD OF SUPERVISORS  
**On agenda:** 4/28/2020      **Final action:** 4/28/2020  
**Title:** (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of the goods and services; and (b) Approve the Agreement between County of Lake and Clean Lakes, Inc. for the Aquatic Vegetation Management Program for Fiscal Year 2019-2020 in the amount of \$205,000 and authorize the Chair to sign  
**Sponsors:** Water Resources  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Agree\_CleanLakes\_WR

Date	Ver.	Action By	Action	Result
4/28/2020	2	BOARD OF SUPERVISORS	approved	

### Memorandum

**Date:** April 28, 2020  
**To:** The Honorable Moke Simon, Chair, Lake County Board of Supervisors  
**From:** Scott De Leon, Water Resources Director  
**Subject:** (a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of the goods and services; and (b) Approve the Agreement between County of Lake and Clean Lakes, Inc. for the Aquatic Vegetation Management Program for Fiscal Year 2019-2020 in the amount of \$205,000 and authorize the Chair to sign

### Executive Summary: (include fiscal and staffing impact narrative):

In 2011, the Water Resources Department identified areas around Clear Lake to be managed for nuisance aquatic plant growth. The total surface area of the lake treated annually for aquatic plants has never exceeded 260 acres (0.01% lake's total surface area) and varies annually according to peak aquatic plant growth. Treatment areas are selected based on several conditions, including: density of shoreline occupation, presence of especially troublesome invasive plants, habitat value, and historic recreational uses. The proposed contractor, Clean Lakes Inc., utilizes GPS-based hydro acoustic mapping to ensure accuracy of application location and rate, and an efficacy map of before and after treatment. Water Resources Staff has worked closely with Clean Lakes Inc. to evaluate performance, efficacy of treatment and compliance with the State's and County's Aquatic Pesticide NPDES permit and County's own permitting program, including all monitoring requirements.

Due to the unique nature of this service, the remoteness of Lake County and the lack of available, licensed herbicide applicators that have familiarity with Clear Lake, Water Resources staff recommends that your Board find that in accordance with Lake County Code Section 38.2, it is not in the public's interest to competitively bid this project. Clean Lakes Inc. has now been providing this service for the County for ten years with a superior level of support, professionalism and technological innovation. Additionally, last year in 2019 and, so far as indicated for this year, Clean Lakes Inc. was and is the only active aquatic plant management vendor licensed to apply herbicides that is conducting business on Clear Lake.

For the last ten years, the County Board of Supervisors has set aside funding for the abatement of nuisance aquatic plant in selected high-traffic, public use areas of Clear Lake as part of an overall strategic invasive species management program. The contract total for Fiscal Year 2019-2020 is \$205,000 and is funded with Geothermal and TOT money.

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

Estimated Cost: \$205,000 Amount Budgeted: \$205,000 Additional Requested: \_\_\_\_\_ Future Annual Cost: \_\_\_\_\_

**Consistency with Vision 2028 and/or Fiscal Crisis Management Plan** (check all that apply):

- |  |  |  |  |
|--|--|--|--|
| <input type="checkbox"/> Well-being of Residents | <input type="checkbox"/> Public Safety               | <input type="checkbox"/> Infrastructure        | <input type="checkbox"/> Not applicable      |
| <input type="checkbox"/> Economic Development    | <input type="checkbox"/> Disaster Recovery           | <input type="checkbox"/> County Workforce      | <input type="checkbox"/> Technology Upgrades |
| <input type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input checked="" type="checkbox"/> Clear Lake | <input type="checkbox"/> Revenue Generation  |
|  |  |  | <input type="checkbox"/> Cost Savings        |

**If request for exemption from competitive bid in accordance with County Code Chapter 2 Sec. 2-38, fill in blanks below:**

Which exemption is being requested? Competitive Bid

How long has Agreement been in place?

When was purchase last rebid?

Reason for request to waive bid? It is not in the public interest due to the unique nature of the goods and services.

**Recommended Action:**

**(a) Waive the formal bidding process, pursuant to Lake County Code Section 38.2, as it is not in the public interest due to the unique nature of the goods and services.**

**(b) Approve the Agreement between County of Lake and Clean Lakes, Inc. for the Aquatic Vegetation Management Program for Fiscal Year 2019-2020 in the amount of \$205,000 and authorize the Chair to sign.**