



Legislation Details (With Text)

File #: 22-493 **Version:** 1 **Name:**

Type: Action Item **Status:** Agenda Ready

File created: 5/11/2022 **In control:** Lake County Watershed Protection District

On agenda: 5/24/2022 **Final action:**

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) Authorize the County of Lake Water Resources Director to sign an Memorandum of Understanding agreement between the Lake County Watershed Protection District and the Tribal EcoRestoration Alliance for the time period of May 1, 2022 – April 30, 2024.

Sponsors: Water Resources

Indexes:

Code sections:

Attachments: 1. MOU Legal Signed May 2 2022_TERA signed, 2. TERA DWR Agreement ATTACHMENT A

Date	Ver.	Action By	Action	Result
5/24/2022	1	BOARD OF SUPERVISORS		

Memorandum

Date: May 11, 2022

To: The Honorable Lake County Board of Supervisors, serving as the Board of the Watershed Protection District

From: Marina Deligiannis, Deputy Director, Water Resources

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) Authorize the County of Lake Water Resources Director to sign an Memorandum of Understanding agreement between the Lake County Watershed Protection District and the Tribal EcoRestoration Alliance for the time period of May 1, 2022 - April 30, 2024.

Executive Summary:

Staff is requesting the Board of Directors of the Lake County Watershed Protection District, approve the attached MOU between the Lake County Watershed Protection District (District) and the local, non-profit Tribal EcoRestoration Alliance (TERA) organization to conduct much-needed conservation land and water management efforts in Lake County. This contract outlines services TERA would be conducting for the District, and the District would be paying TERA for these services. This item is not expected to be controversial; therefore we are requesting this item to be placed on the Consent Agenda.

The District and TERA collaborated and partnered on several pilot projects to identify needs and expected capacity to accomplish needed conservation tasks, such as invasive plant management and native shoreline restoration activities. The attached MOU and scope of work (ATTACHMENT A) identify the specific tasks needed to continue and expand these efforts. These tasks include: Invasive shoreline vegetation management, native plant / Tule replanting and restoration, prescribed burning at Highland Springs Recreation Area which is managed by the District, and where applicable, water quality monitoring support on Clear Lake and tributaries.

Staff is requesting that the Board waive the competitive bidding process and approve a contract with non-profit TERA, in accordance with Lake County Code Section 38.2, it is not in the public's interest to competitively bid this project, due to (2A) the unique nature of the goods or services precludes competitive bidding and more specifically, (3) staff finds that competitive bidding would not result in an economic benefit to the County.

Additional rationale for why staff is requesting the formal bidding process be waived Includes the following reasons:

- TERA is comprised of local, tribal members from Lake County and is a non-profit organization.
- No other local organization has the capacity or experience to provide these type of services.
- No companies that provide aquatic plant management provide the scale of manual removal and restoration services that TERA can provide and are specialized in.
- This agreement builds local, collaborative partnerships between County agencies and tribal organizations that share the same perspective to conduct land and water management in a way that best serves that protection and conservation of the resource for current and future generations of animals, plants, and people.

Due to the nature of the field-based services needed, exact hours required for agreement tasks fluctuate seasonally. Annually, tasks within the Scope of Work (SOW) are estimated to currently cost a range between \$41,000 and \$74,000, with a budget not to exceed \$80,000 in any single fiscal year. When possible and where eligible, outside funding and grants are being pursued to help support the project tasks. For example current grant and funding efforts include applications to Department of Pesticide Regulation, Department of Water Resources DACI Urban and Multi-Benefit Drought Funding, Blue Ribbon Committee, and Cal-Fire. Internal District funds will be used to supplement or support these outside funding sources.

If not budgeted, fill in the blanks below only:

Estimated Cost: _____ Amount Budgeted: \$80,000 Additional Requested: _____ Future Annual Cost: _____

Consistency with Vision 2028 (check all that apply):

☐ Not applicable

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Well-being of Residents | <input checked="" type="checkbox"/> Public Safety | <input checked="" type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input type="checkbox"/> Economic Development | <input checked="" type="checkbox"/> Infrastructure | <input checked="" type="checkbox"/> County Workforce |
| <input checked="" type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input checked="" type="checkbox"/> Clear Lake |

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, and (b) Authorize the County of Lake Water Resources Director to sign an MOU agreement between the Lake County Watershed Protection District and the Tribal EcoRestoration Alliance for the time period of May 1, 2022 - April 30, 2024.

