



## Legislation Details (With Text)

**File #:** 22-509      **Version:** 1      **Name:**

**Type:** Resolution      **Status:** Agenda Ready

**File created:** 5/13/2022      **In control:** BOARD OF SUPERVISORS

**On agenda:** 6/7/2022      **Final action:**

**Title:** Adopt Resolution authorizing the County of Lake Water Resources Deputy Director to (a) accept and execute The USDA Natural Resources Conservation Service National Water Quality Initiative (NRCS NWQI) Planning Grant and Agreement Award for \$50,000, (b) 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 (c) Approve and sign the service agreement with California Rural Water Agency to fulfill the NRCS NWQI grant deliverables.

**Sponsors:** Water Resources

**Indexes:**

**Code sections:**

**Attachments:** 1. Anita Signed Resolution NRCS NWQI, 2. Exhibit A\_Agreement\_NR229104XXXXC001\_ForSignatures, 3. Exhibit B\_Contract DRAFT CRWA \_PSA\_Lake County, 4. Exhibit C\_COL-01 Task Order

Date	Ver.	Action By	Action	Result
6/7/2022	1	BOARD OF SUPERVISORS		

### Memorandum

**Date:** May 17, 2022

**To:** The Honorable Lake County Board of Supervisors, Serving as the Directors of the Lake County Watershed Protection District

**From:** Scott De Leon, Director, and Angela De Palma-Dow, Program Coordinator Water Resources Department

**Subject:** Adopt Resolution authorizing the County of Lake Water Resources Deputy Director to (a) accept and execute The USDA Natural Resources Conservation Service National Water Quality Initiative (NRCS NWQI) Planning Grant and Agreement Award for \$50,000, (b) 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 (c) Approve and sign the service agreement with California Rural Water Agency to fulfill the NRCS NWQI grant deliverables.

### Executive Summary:

Staff is requesting the Board of Supervisors, acting as the Directors of the Lake County Watershed Protection District, authorize the Deputy Water Resources Director to accept and execute The USDA Natural Resources Conservation Service National Water Quality Initiative (NRCS NWQI) Planning

Grant in an amount not to exceed \$50,000 (Exhibit A). Staff is also requesting the Deputy Water Resource Director to enter into a service agreement (Exhibit B) with the non-profit California Rural Water Association (CRWA) to complete the tasks and deliverables of the awarded grant (Exhibit C). This item is not expected to be controversial; therefore we are requesting this item to be placed on the Consent Agenda.

The NRCS NWQI is a planning project for the Clear Lake Basin, to identify source water protections needed to improve water quality, with a focus on agriculture, commercial and private, remediation and mitigation measures. This project is part of the Federal National Water Quality Initiative Program and is the first one of its kind in place within California.

This project will culminate in a Source Water Protection Plan, that will allow the District, and partners, to apply for significant Federal USDA NRCS implementation funds to install sediment phosphorus reduction measures on the landscape, usually through incentive based mitigation programs, to reduce pollution and nutrient runoff into Creeks, Streams, and Clear Lake.

Staff is requesting that the Board waive the competitive bidding process and approve a contract with the Non-Profit CRWA to assist in the execution of this project. In accordance with Lake County Code Section 38.2, it is not in the public's interest to competitively bid this project, and specifically staff identifies that competitive bidding would not result in an economic benefit to the County.

There are several reasons for this bidding waiver request including;

- 1) The CRWA is concurrently contracted with Clear Lake Drinking Water Purveyors to complete a sanitary survey, so to maximize efforts and knowledge acquisition, it's financially responsible and logical that the same agency complete both projects simultaneously,
- 2) The CRWA is contributing significant technical labor services (~\$39,200) on this project on a "pro-bono" basis, reducing the cost directed to the grant and at no cost to the District and,
- 3) While CRWA is a non-profit organization, charged with helping rural areas improve drinking water quality and quantity, other available and qualified companies, consultants, or organizations are not, and therefore it's not financially logical to go through the bid process for this project that will not result in an economic savings.

This project has written support from the Blue Ribbon Committee for the Rehabilitation of Clear Lake, Big Valley Rancheria Water District, Golden State Water District, Crescent Bay Improvement Company, Lower Lake County Waterworks District #1, and the Clear Lake Environmental Research Center.

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

Estimated Cost: \_\_\_\_\_ Amount Budgeted: \$50,000 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 type="checkbox"/> Disaster Prevention, Preparedness, Recovery |
| <input type="checkbox"/> Economic Development               | <input type="checkbox"/> Infrastructure              | <input type="checkbox"/> County Workforce                            |
| <input checked="" type="checkbox"/> Community Collaboration | <input type="checkbox"/> Business Process Efficiency | <input checked="" type="checkbox"/> Clear Lake                       |

**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?** 38.2 Unique nature of goods and services in that bidding will not provide economic benefit to the county

**How long has Agreement been in place?** N/A

**When was purchase last rebid?** N/A

**Reason for request to waive bid?** Outlined in Memo above, 1) The CRWA is concurrently contracted with the 17 Private and Public Drinking Water Purveyors around Clear Lake to complete an updated state-required Sanitary Survey, and the information gathered in this process and used in this document overlap and coincide with the information used within the NWQI Source Water Protection Plan, so to maximize efforts and knowledge acquisition, it's financially responsible and logical that the same agency complete both projects simultaneously, 2) The CRWA is contributing significant staff labor services on this project on a "pro-bono" basis, reducing the cost directed to the grant and at no cost to the District, and 3) While CRWA is a non-profit organization, charged with helping rural areas improve drinking water quality and quantity, other available and qualified companies, consultants, or organizations are not, and therefore it's not financially responsible or logical to go through the bid process for this project that will not result in an economic savings.

**Recommended Action:**

Adopt Resolution authorizing the County of Lake Water Resources Deputy Director to (a) accept and execute The USDA Natural Resources Conservation Service National Water Quality Initiative (NRCS NWQI) Planning Grant and Agreement Award for \$50,000, (b) 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 (c) Approve and sign the service agreement with California Rural Water Agency to fulfill the NRCS NWQI grant deliverables.