



## Legislation Text

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File #: 20-362, Version: 1

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### Memorandum

**Date:** April 28, 2020

**To:** The Honorable Moke Simon, Chair, Lake County Board of Supervisors

**From:** Lars Ewing, Public Services Director

**Subject:** (a) Waive the competitive bidding process in accordance with County Code Section 2-38.2 because it is not in the public interest due to the unique nature of goods or services; and (b) Approve Agreement between the County of Lake and SHN Engineers & Geologists, Inc. for Technical Support Services for Eastlake Sanitary Landfill 2020 Waste Discharge Requirements and authorize the Chair to sign; and (c) Approve Agreement between the County of Lake and SHN Engineers & Geologists, Inc. for Technical Support Services for Eastlake Sanitary Landfill 2020 Monitoring and Reporting Program and authorize the Chair to sign.

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

The Eastlake Sanitary Landfill in Clearlake is subject to water quality protection standards administered by the Central Valley Regional Water Quality Control Board (RWQCB) through the issuance of Waste Discharge Requirements (WDRs) and a Monitoring and Reporting Program (MRP). The WDRs and MRP, in combination with other regulating documents from the California Department of Resources Recycling and Recovery and the Lake County Air Quality Management District, largely govern landfill operations. In early 2019 the RWQCB issued the landfill revised WDRs that require the submittal of various one-time technical studies and work plans, in addition to a revised MRP which includes updated provisions for ongoing monitoring and reporting. Thus far the work accomplished to complete the necessary WDR tasks by the deadlines imposed by the RWQCB has been effectuated through purchase orders or agreements that, due to their monetary amounts, were executed by the Public Services Director. However, the approval authority for the proposed agreement to complete the remaining one-time technical studies and reports required by the WDRs, as well as the agreement for recurring monitoring and reporting requirements for calendar year 2020, require Board of Supervisors approval. To that end proposed agreements are included for your Board's consideration.

Furthermore, staff is recommending that the Board of Supervisors waive the County policy for the selection of professional consultants and other contract service providers because SHN is intimately and uniquely familiar with the groundwater, stormwater, and leachate systems at the Eastlake Landfill as a result of their years of experience working with the County for previous WDRs and MRPs as well as the development of the revised WDRs and MRP.

**FISCAL IMPACT (Narrative):** The integrated waste management budget includes sufficient appropriations to complete both the WDR studies and work plans as well as the MRP provisions. The funding for the appropriations is derived from landfill tipping fees. It is important to note, however, that as the mandates from the regulating agencies increase so does the County's cost to comply, thereby likely driving the need for higher tipping fees.

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

Estimated Cost: \$141,375 Amount Budgeted: \$141,375 Additional Requested: \_\_\_\_\_ Future Annual Cost: \$61,050 (MRP)

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

- |   |  |  |   |
|---|--|--|---|
| <input checked="" type="checkbox"/> Well-being of Residents | <input checked="" type="checkbox"/> Public Safety    | <input checked="" 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"/> <i>Technology Upgrades</i> |
| <input type="checkbox"/> Community Collaboration            | <input type="checkbox"/> Business Process Efficiency | <input type="checkbox"/> Clear Lake                | <input type="checkbox"/> <i>Revenue Generation</i>  |
|   |  |  | <input type="checkbox"/> <i>Cost Savings</i>        |

**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? 2-38.2(2): the unique nature of the goods or services precludes competitive bidding,

How long has Agreement been in place? N/A

When was purchase last rebid? N/A

Reason for request to waive bid? See executive summary

**Recommended Action:** (a) Waive the competitive bidding process in accordance with County Code Section 2-38.2 because it is not in the public interest due to the unique nature of goods or services; and (b) Approve Agreement between the County of Lake and SHN Engineers & Geologists, Inc. for Technical Support Services for Eastlake Sanitary Landfill 2020 Waste Discharge Requirements and authorize the Chair to sign; and (c) Approve Agreement between the County of Lake and SHN Engineers & Geologists, Inc. for Technical Support Services for Eastlake Sanitary Landfill 2020 Monitoring and Reporting Program and authorize the Chair to sign.