



## BOARD OF SUPERVISORS AGENDA LETTER

**Agenda Number:**

**Clerk of the Board of Supervisors**  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Public Works  
**Department No.:** 054  
**For Agenda Of:** September 10, 2024  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

---

**TO:** Board of Supervisors  
**FROM:** Department Director(s) Chris Sneddon P.E., Department of Public Works,  
(805) 568-3010  
Contact Info: Martin Wilder P.E., Interim Deputy Director,  
(805) 882-3605  
**SUBJECT:** Competitive Bid Waiver for the Purchase of Equipment for the Anaerobic Digestion Facility at the ReSource Center, Third Supervisorial District

---

**County Counsel Concurrence**

As to form: Yes

**Other Concurrence: Purchasing**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Approve and authorize the Purchasing Agent, pursuant to County Code section 2-39, to procure equipment and spare parts for the Anaerobic Digestion Facility located at the ReSource Center, without requiring competitive bidding, on an as needed basis effective through June 30, 2028, with a maximum annual aggregate limit of \$400,000; and
- b) Determine that the proposed action is not a "project" under the California Environmental Quality Act Pursuant to the State CEQA Guidelines Sections 15378 (b)(2) and (5), as it involves continuing administrative or maintenance activities, such as purchases for supplies and administrative activities of governments that will not result in direct or indirect physical changes to the environment.

**Summary Text:**

This item is on the agenda to authorize the Purchasing Agent to waive competition for procuring spare parts and equipment for the Anaerobic Digestion Facility located at the ReSource Center.

County Code Section 2-39 authorizes the Purchasing Agent to waive competition when there are limitations on the source of supply, necessary restrictions in specifications, or other valid reasons.

Where the expenditure would or could exceed twenty-five thousand dollars, competition may be waived only after approval by the Board of Supervisors. Public Works recommends waiving competition for procuring spare parts and equipment for the Anaerobic Digestion Facility at the ReSource Center.

Spare parts for the Anaerobic Digestion Facility are crucial in its effective operations and are often limited to manufacturers in Europe with several weeks lead time in obtaining them due to shipping. Additionally, some parts are only manufactured by the technology provider and designer of the facility Eggersmann GmbH of Germany.

The waiver of bids meets all three categories of the waiver test: limitations on the source of supply, necessary, restriction in specifications, or other valid reasons.

**Background:**

This blanket waiver of competition for procurement of spare parts and equipment for the Anaerobic Digestion Facility at the ReSource Center would allow the Purchasing Agent to proceed with the procurement of spare parts and equipment when the need arises and allow without additional delays in procurement of materials that would allow the Public Works Department to effectively manage the community's organic waste.

The original design of the Anaerobic Digestion Facility and technology were provided by Eggersmann GmbH of Germany and are the exclusive manufacturer of some of the spare parts needed by the facility.

The approval of a blanket waiver to purchase parts is not a project under CEQA Guidelines Sections 15378 (b)(2) and (5), as it involves administrative activity that will not result in direct or indirect physical changes to the environment. The parts that would be purchased under the waiver are for repair and maintenance of the ReSource Center Anaerobic Digestion Facility which was analyzed in 12EIR-00000-00002 (SCH No. 201222041068).

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

There are no direct fiscal impacts as a result of this action. All work and related expenses for these spare parts and equipment have been budgeted in the Public Works Resource Recovery and Waste Management Enterprise Fund 1930, Line Item Account 7460, and Program 1860.

**Special Instructions:**

Please forward a certified, stamped Minute Order approving this item to:

- 1) Public Works, Resource Recovery & Waste Management Division, 130 East Victoria Street, Suite 100, Santa Barbara, CA 93101  
Attention: Carlyle Johnston
- 2) General Services, Purchasing Division, 260 N. San Antonio Road, Santa Barbara, CA 93110  
Attention: Phung Loman

Subject: Competitive Bid Waiver for the Purchase of Equipment for the Anaerobic Digestion Facility at the ReSource Center, Third Supervisorial District

Date: September 10, 2024

Page 3 of 3

**Authored by:**

Carlyle A. Johnston, ReSource Manager, Resource Recovery & Waste Management Division,  
(805) 882-3617