



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: Planning &
Development
Department No.: 053
For Agenda Of: 2/26/2008
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director(s) John Baker (568-2085)
Contact Info: Doug Anthony, Deputy Director, Energy Div. (568-2046)
SUBJECT: Lompoc Wind Energy Project EIR Contract (3rd & 4th Districts)

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

Execute the professional services contract with Aspen Environmental Group, to complete the EIR for the Lompoc Wind Energy Project, increasing by \$166,860.79 the original purchase order number CN06785 for \$100,000 with a new Not-to-Exceed amount of \$266,860.79 (which includes a 15% contingency), for the period beginning February 26, 2008, and ending August 30, 2008. (3rd and 4th Supervisorial Districts)

Summary Text:

Staff recommends authorizing Aspen Environmental Group (Aspen) to complete the final EIR for the Lompoc Wind Energy Project that was begun by CH2M HILL (CH2). The original CH2 contract approved by your Board (and subsequently amended) was for \$508,695.02. Of that amount, CH2 expended \$373,136.20 and produced a Draft EIR, leaving a balance of \$135,558.82. CH2M HILL's contract expired December 31, 2007, so no action by your Board is necessary to terminate it.

Both the Applicant (Acciona Wind Energy USA) and staff believe that a change in EIR contractor to Aspen is necessary to produce an adequate final EIR in a timely and cost-effective manner. Through a Purchase Order Agreement (CN06785), Aspen has already expended \$36,347.95 of the remaining contract balance to perform limited, time-sensitive tasks. Staff recommends that the

Board execute a contract with Aspen for an additional \$266,860.79 (including 15% contingency) to complete the remaining EIR tasks.

Background:

CH2M HILL was awarded the contract to prepare the EIR for Lompoc Wind Energy Project in August 2006. A draft EIR was released on July 17, 2007, and final agency comments were received September 11. Considering the level of effort needed to fully address public comments and complete an adequate EIR, a change in the EIR contractor was necessary.

Aspen began work under the Purchase Order Agreement on October 1, 2007 to first identify EIR deficiencies and then begin time-sensitive tasks including field surveys and information gathering. These limited tasks will continue within the constraints of the Purchase Order Agreement, awaiting approval of the Board contract to complete all remaining EIR tasks.

Performance Measure:

Staff will direct and monitor Contractor's work to ensure timely completion of remaining tasks and production of a legally defensible EIR for use by County and other permitting agencies.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

These additional costs for consultant preparation of the EIR are fully offset by the applicant and are within the expenditures budgeted in line-item "EIR Contracts" (\$1,107,000) of the Energy Division's operating expenses, and offsetting revenues budgeted in line-item "Reimbursable Contracts" (\$1,425,612) on page D-298 of the approved 2007/2008 fiscal year budget.

Staffing Impacts:

Legal Positions:
0

FTEs:
0

Special Instructions:

Please forward a duplicate original executed Contract and a copy of the Minute Order to Gloria Kelm, P&D Accounting. Please forward copies of the executed Contract and Minute Order to John Day in P&D Energy Division.

Attachments:

Attachment 1 – Aspen Contract

Attachment 2 – Applicant letter requesting change of consultant

Authored by:

John Day, Planner, 568-2045

Attachment 1
Aspen Contract

Attachment 2

Applicant letter requesting change of consultant