



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: January 25, 2022
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Lisa Plowman, Director of Planning & Development, 568-2084
Director: 
Contact Info: John Zorovich, Deputy Director, Energy, Minerals & Compliance
Division, 568-2519
**SUBJECT: Agreement for Professional Services between the County of Santa Barbara and
Dudek for Technical Services to Support Energy, Minerals & Compliance and
Development Review Division Projects**

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

- A. Approve, ratify, and authorize the Chair to execute the attached professional services Agreement (Attachment 1) between the County of Santa Barbara and Dudek, for a period of one year commencing January 1, 2022 and terminating on June 30, 2022, to provide technical services in support of the Energy, Minerals & Compliance & Development Review Divisions for a total not-to-exceed amount of \$45,000.
- B. Approve and authorize the Director of Planning and Development, or designee, to make immaterial changes in accordance with Section 35 of the Agreement.
- C. Determine that the recommended action is not a "Project" under the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15378(b)(5) because it is an organizational or administrative activity of the government that will not result in direct or indirect physical changes in the environment. [Attachment 3].

Summary Text:

The Energy, Minerals & Compliance Division and the Development Review Division "Divisions" are responsible for permitting and conducting environmental review on complex projects in the Planning & Development Department. These projects often present highly technical issues beyond the expertise of

staff, and which require technical assistance from an outside consultant. If approved, this Agreement will give the Divisions staff access to technical services related to biological resources provided by Dudek.

The scope of services provided by Dudek includes the following:

- Botanical and Wildlife Field Surveys
- Desktop Research Exercises
- Peer Review
- Special Status Species
- Impact Analysis and Mitigation Strategies
- Environmental Documents
- Wetland Delineation
- Vegetation Community Mapping
- Outside Agency Interactions

Dudek has provided technical assistance to the County for various project in a range of capacities, including large, multi-disciplinary Environmental Impacts Reports/Statements, biological studies including special status species surveys, peer review of other biologists' written reports as well as many other functions. This Agreement would allow for compensation on a time-and-materials basis to execute technical services tasks authorized by the Divisions. Appendix 1 of the attached Agreement (Attachment 1) provides the scope of tasks which will be authorized by the Divisions on an as-needed basis. Actual workload and costs will vary due to the variability of actual technical assistance needed by the Divisions.

Background:

The Department has held an ongoing contract with Dudek for biologically related services for several years, based upon their technical skills, professionalism, excellent working relationship with both staff and industry, and cost-effective methods for delivering a dependable, high-quality work product. This Agreement has historically been extended, but because aggregate contracts between the County and Dudek currently exceed the prescribed \$200,000 threshold, the Agreement must be renewed by the Board.

Staff recommends executing this Agreement with Dudek based on their relevant long-term experience, proven technical approach, well-qualified personnel, excellent rapport with both staff and industry, demonstrated reliability, and reasonable billing rates.

Fiscal and Facilities Impacts and Fiscal Analysis:

Budgeted: Yes. These services are currently budgeted in the Permitting Budget Program on page D-301 of the County of Santa Barbara Fiscal Year 2021–22 adopted budget.

The Contractor would conduct work at the direction of the Divisions. Upon services rendered, the Contractor would invoice monthly and the Planning & Development Department would bill the appropriate permittees as part of the normal monthly billing cycle. All costs incurred under this Agreement would be borne completely by those project applicants/owners who receive the technical services, as required by existing reimbursement agreements between the County and the permittees. Staff would direct and monitor the Contractor's work to ensure timely completion of tasks and to monitor and control costs.

There are no facility impacts.

Key Contract Risks:

A risk analysis was performed and the proposed Agreement rated a **medium** risk due to its moderate complexity, less than one-year term, and moderate visibility. The recommended Contractor, Dudek, has provided technical services to the Department for several years, pursuant to previous contracts. The County has consistently received excellent services from Dudek under these contracts. The Agreement indemnifies County agents, officers, and employees from all claims that arise from activities performed under the Agreement and no claims have been made by either the County or Dudek under previous technical services contracts.

Special Instructions:

Please forward a duplicate original executed Agreement and a copy of the Minute Order to Crysta Rider, P&D Accounting. Please forward one copy of the executed Agreement and one copy of the Minute Order to Errin Briggs, P&D Energy, Minerals & Compliance Division.

Attachments:

Attachment 1 – Dudek Contract

Attachment 2 – Board Contract Summary

Attachment 3 – Notice of CEQA Exemption

Authored by: Errin Briggs, Supervising Planner, ext. 568-2047

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