



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: 5/7/2024
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Chris Sneddon, P.E., Public Works Director, (805) 568-3010
Director(s)
Contact Info: Jeanette Gonzales-Knight, P.E., Interim Deputy Director,
(805) 882-3605
SUBJECT: Agreements for Services of Independent Contractor with Nviro Corporation and
Wallace Group, Inc., Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor, (Attachment A) with Nviro Corporation (a tri-county vendor) to provide maintenance and repair services for the Compost Management Unit run-off collection and pump station for the period of May 7, 2024 through December 31, 2024 in an amount not to exceed \$219,600.00;
- b) For Attachment A the Nviro Agreement, determine that pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162 no substantial changes are proposed, and no new information of substantial importance has come to light regarding environmental effects of the project or of the sufficiency or feasibility of mitigation measures, and therefore the contract for maintenance and repair for ongoing operation of the ReSource Center facilities is within the scope of the project covered by the prior environmental review, the Final Subsequent Environmental Impact Report (12EIR-00000-000020) SCH #2012041068 and Subsequent EIR Revision Letter and Errata dated May 27, 2016 certified by the Board of Supervisors on July 12, 2016, Final Subsequent EIR Addendum dated August 11, 2017 (revised October 26, 2017) considered by the Board of Supervisors on November 14, 2017, and second Addendum dated August 15, 2023 considered by the Board on October 3, 2023 and November 7, 2023, therefore, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this action.

- c) Approve and authorize the Chair to execute the Agreement for Services of Independent Contractor (Attachment B) with Wallace Group (a tri-county vendor) to provide engineering design services to study the feasibility of other improvements to the Compost Management Unit run-off system and pump station system for the period of May 7, 2024 through December 31, 2024 in an amount not to exceed \$65,481.00;
- d) For Attachment B the Wallace Group Agreement, determine that the approval of the agreement to provide engineering design services to study the feasibility of other stormwater collection and pump station improvements is statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15262 (Feasibility and Planning Studies), and approve the posting of a notice of exemption on that basis (Attachment C).

Summary:

This item is on the agenda in order to consider the approval of an agreement with Nviro Corporation to provide maintenance and repair services at the ReSource Center. The work involves maintenance and repair of the Compost Management Unit (CMU) run-off collection and pump station and is considered to be work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems pursuant to Public Contract Code §22002(d)(5).

In addition, this action also considers the approval of a professional services agreement with Wallace Group, Inc. to provide engineering design services to study the feasibility of other improvements to the Compost Management Unit run-off collection and pump station system based on the evaluation of engineering design parameters.

Background:

The County of Santa Barbara owns and operates the Tajiguas Landfill and is responsible for the management and operation of the ReSource Center. The ReSource Center is comprised of several facilities including a materials recycling facility (MRF), a dry fermentation anaerobic digester facility (ADF), and a CMU that produces compost from organics recovered from the region's municipal solid waste as well as source separated food waste. These facilities have been in limited service since the fall of 2021. Since December 2023, the County has assumed contractual arrangements with MarBorg Recovery, LP for the operation of the MRF, and has assumed operation of the ADF and CMU.

Part of the operation of the CMU facility includes the collection and management of liquids that come in contact with digestate (CMU contact wastewater or run-off), and is subject to compliance with the state Industrial General Permit, Compost General Order, and Solid Waste Facility Permit for the ReSource Center. The CMU contact wastewater is collected from the 6.2-acre CMU deck and flows by gravity to a lift station comprised of two 21,000-gallon Baker tanks and two 25-horsepower solids handling pumps.

Cleaning and repair are required in order to move CMU contact wastewater to a holding tank with a functional volume of 380,000 gallons located above the ADF. This contact wastewater is used over the course of the year as percolate makeup water, which is a mixture of water and microorganisms that metabolize the organic waste during the anerobic digestion process. The scope of work includes metering changes, isolation valve installation, programing and control corrections, pump inspection and maintenance, providing a backup pump, and changes to the Baker tanks to allow for a greater pumping

volume. Such work is considered to not be a public project pursuant to Public Contract Code §22002(d)(5) because it is for work performed to keep, operate, and maintain publicly owned water, power, or waste disposal systems.

Nviro Corporation has demonstrated competence with the professional qualifications necessary for the satisfactory performance of the services required based on similar scopes of work performed at the Tajiguas Landfill and ReSource Center including work related to various programming issues. Staff recommends Board approval of the Agreement for work to keep, operate, and maintain this a publicly owned waste disposal system. Work would commence upon agreement approval and is planned for completion in the fall of 2024, prior to the 2024 rainy season as required by the Regional Water Quality Control Board.

Pursuant to CEQA, maintenance and repair services for the ReSource Center are required for continued operation of the facilities analyzed in the prior CEQA documents (Final Subsequent EIR (12EIR-00000-00002), Addendums and CEQA Guidelines Section 15162 determinations) and therefore pursuant to CEQA no further environmental review is required for the proposed repair and maintenance agreement. The Final Subsequent EIR and Addendums can be found at <https://www.countyofsb.org/1165/Environmental-Documents>.

In addition, staff recommends Board approval of a professional services agreement with Wallace Group, Inc. to assess the engineering parameters used to design the original CMU run-off collection and pump station and to make recommendations for future improvements. Wallace Group was selected to perform engineering services based on demonstrated competence and professional qualifications and is an approved vendor on the Public Works Department prequalified consulting list approved by the Board on December 14, 2021, which is valid through December 31, 2024. CEQA Guidelines Section 15262 statutorily exempts work involving only feasibility or planning studies for possible future actions which the Board has not approved, adopted, or funded. Implementation of any project resulting from the study would be evaluated with respect to consistency with the prior CEQA review prepared for the ReSource Center pursuant to CEQA Guidelines Section 15162.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

These services will be funded from the Resource Recovery & Waste Management Division Enterprise Fund (Fund 1931). It is anticipated that the majority of funds would be expended in FY 2023-2024. There is no impact to the General Fund.

| Funding Sources | Current FY Cost: | Annualized On-going Cost: | Total One-Time Project Cost |
|------------------------|-------------------------|----------------------------------|------------------------------------|
| General Fund | | | |
| State | | | |
| Federal | | | |
| Fees | | | |
| Other: SW Enterprise | \$ 285,081.00 | | \$ 285,081.00 |
| Total | \$ 285,081.00 | \$ - | \$ 285,081.00 |

Key Contract Risks:

Key risk factors for these Agreements that contribute to an overall low contract risk rating include: performance period, complexity of contract requirements, contract sensitivity, and the fiscal responsibility of the contractor.

These risk factors have been considered and staff believes the contracts should be authorized because the contractor has significant experience performing similar services successfully for the County with no significant issues during their performance over the past years.

Additionally, contract monitoring and document management will be conducted by staff in accordance with the County's Service Contract and Grant Compliance Management Policy (121-111).

Special Instructions:

Please forward a certified, stamped Minute Order approving this action to Kevin Brown at Public Works, Resource Recovery and Waste Management Division at 130 E. Victoria Street, Suite 100, Santa Barbara, CA 93101.

Attachments:

Attachment A: Agreement with Nviro Corporation
Attachment B: Agreement with Wallace Group
Attachment C: Notice of Exemption

Authored by:

Martin Wilder, P.E., Interim Deputy Director, (805) 882-3605

Copy:

Gloria Alvarez, Fiscal Manager