



**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

Submitted on:
(COB Stamp)

Department Name: Public Works
Department No.: 054
For Agenda of: December 3, 2024
Placement: Administrative
Estimated Time:
Continued Item:
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Director(s) Chris Sneddon, P.E., Public Works Director, ^{DS}CS
(805) 568-3010

Contact Info: Jeanette Gonzales-Knight, Interim Deputy Director, ^{DS}JS on behalf of
(805) 882-3605

SUBJECT: Amendment No. 1 to Agreement for Services of Independent Contractor with Nviro Corporation, Third Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- a) Approve and authorize the Chair to execute Amendment No. 1 to 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 an additional amount of \$98,900 and extend the term to June 30, 2025;
- b) Authorize the Public Works Director or designee to approve additional change orders to the Agreement with Nviro Corporation (BC23299) for a contingency amount up to \$20,000 for a total project authorization of \$338,500; and
- c) 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, including the Final Subsequent Environmental Impact Report (12EIR-00000-00002) SCH #2012041068 and Subsequent EIR Revision Letter and Errata dated May 27,

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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, the Addendum dated August 15, 2023 considered by the Board on October 3, 2023 and November 7, 2023, and the Addendum dated August 9, 2024 considered by the Board on September 10, 2024. Therefore, no subsequent Environmental Impact Report or Negative Declaration shall be prepared for this action.

Summary Text:

This item is on the agenda in order to consider the approval of Amendment No. 1 the Agreement with Nviro Corporation to provide maintenance and repair services at the ReSource Center. The initial scope of work involved maintenance and repair of the Compost Management Unit (CMU) run-off collection and pump station. This initial scope of work was related to upkeep and operation of facilities originally constructed as part of the ReSource Center. However, following the execution of this agreement, regulatory requirements mandated by the Regional Water Quality Control Board (RWQCB) necessitate further operational changes, which expand the scope of services required by this vendor in an amount of \$98,900. This subsequent scope of work is to address operation shortfalls related to proper regulatory compliance, which will improve effectiveness and efficiency. This action also approves a contingency of \$20,000 for a total contract amount of \$338,500. This subsequent scope of work was unanticipated but funding is available from capital reserves.

Discussion:

This action requests that the Board approve and execute Amendment No. 1 to the Agreement with Nviro Corporation. This amendment provides for additional scope of work to address CMU lift station system performance to comply with regulatory requirements.

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 Compost Management Unit (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 January 2024, 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 stormwater that comes 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 5 acre-operational area on the CMU deck and flows by gravity to a lift station comprised of two 21,000-gallon Baker tanks and two skid-mounted pumps. Operation entails storing this water for use as percolate makeup water, which is a mixture of water and microorganisms that is sprayed on the organic waste during the anerobic digestion process to metabolize the organic material and create biogas. During consecutive rainstorms when the amount of wastewater generated exceeds storage capacity and percolate

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makeup water demand, the overflow will be treated by an Advanced Treatment System prior to discharging to Pila Creek through the North Sedimentation Basin.

To improve performance of the lift station, your board executed an agreement with Nviro Corporation on May 7, 2024 in the amount of \$219,600 to install meters, isolation valves, make programming and control corrections, perform pump inspections and maintenance, provide a backup pump, and make changes to the Baker tanks to allow for a greater pumping volume. In June, the RWQCB informed County staff that the overflow of the CMU contact wastewater was not permitted under the Compost General Order. To comply with the RWQCB requirements your Board approved installation of an Active Treatment System to treat the wastewater and County staff have applied for coverage under Order No. R3-2022-0035 for Discharges with Low Threat to Water Quality to allow discharge of the treated wastewater. This in turn, requires further modifications to the CMU lift station including additional pump capacity, piping and pipe connections, and extensive programming and control features. Staff recommends executing Amendment No. 1 to the Agreement in the amount of \$98,900 to perform this work. Further, this action approves a contingency of \$20,000 to account for miscellaneous incidental changes that may arise. These facilities were analyzed in the prior CEQA documents (Final Subsequent EIR [12EIR-00000-00002], Addendums and CEQA Guidelines Section 15162 determinations). Pursuant to CEQA Guidelines Section 15162, no further environmental review is required for the proposed amendment to the repair and maintenance agreement for the facilities analyzed in the prior environmental documents. The Final Subsequent EIR and Addendums can be found at [Environmental Documents | Santa Barbara County, CA - Official Website](#).

Contract Risk, Renewals and Performance Outcomes:

Nviro is an experienced vendor that has and continues to perform work in various areas of the County. Prior work involved services as well and maintenance and construction activities. Nviro was retained for this work based on their qualifications pursuant to Public Contract Code 22002(d)(5) as the work is keep, operate, and maintain a publicly owned water, power, or waste disposal system. There are no contract concerns as the standard County contract was used. The expected performance outcome is the completion of the work, including the added scope per this amendment, to cause the CMU lift station system to function properly in order to meet regulatory criteria.

Fiscal and Facilities Impacts:

Budgeted: Yes

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Fiscal Analysis:

The amended contract amount of \$338,500 will be funded from the Resource Recovery & Waste Management Division Enterprise Fund (Fund 1931, Line Item 8200). There is no impact to the General Fund.

Special Instructions:

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

Attachments:

Attachment A: Amendment No. 1 to Agreement with Nviro Corporation

Authored by:

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

A digital signature of Martin Wilder, consisting of a blue bracket-like shape on the left and a stylized 'MW' monogram in the center. Above the monogram, the letters 'DS' are printed in a small font.

Copy:

Gloria Alvarez, Fiscal Manager