

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



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

Agenda Number:

Prepared on: February 21, 2003
Department: P&D
Budget Unit: 053
Agenda Date: March 25, 2003
Placement: Administrative
Estimate Time: N/A
Continued Item: No
If Yes, date from:
Document File Name: \\PLNDEV\SYSTEMS\GROUPEnergy\WP\admin\eircontract\2003contr.act\2003boardltr2.doc

TO: Board of Supervisors

FROM: Dianne Meester, Interim Director of Planning & Development

STAFF CONTACT: Barbara Phillips
(x6350)

SUBJECT: Environmental Services Contracts for Calendar Year 2003

RECOMMENDATION:

That the Board of Supervisors:

Authorize the Chair to execute general services contracts with the following environmental consulting firms to provide environmental review services as needed for private development projects under review by the Planning and Development (P&D) Department:

Marine Research Specialists (formerly Arthur D. Little)
Aspen Environmental Group
Dudek & Associates
Denise Duffy & Associates
Harding ESE
LSA Associates
Padre Associates Inc.
Tetra Tech Inc.
West Coast Environmental

ALIGNMENT WITH BOARD STRATEGIC PLAN:

The above recommendation is primarily aligned with Goal No. 3, *“Strengthen the County’s Administration and Organization.”*

EXECUTIVE SUMMARY AND DISCUSSION:

The County maintains, and annually either extends or updates, general services contracts with several private consulting firms that are qualified to prepare environmental impact reports (EIRs) for private development projects being reviewed by the Planning and Development Department. The contracts are a vital part of internal EIR contracting procedures that the Board approved in 1993 (and amended in 1995) and are essential for the County's continued compliance with time limits imposed by the California Environmental Quality Act (CEQA).

During the 2002 calendar year, there were a total of fourteen (14) firms under contract with the County. All of these firms desire to be under contract again in 2003. Updated contracts for 9 firms have been prepared and have been signed by the consultants, County Counsel, County Risk Management and the County Auditor-Controller. (The remaining 5 contracts were updated and approved by your Board on January 14, 2003.) A simple majority vote of the Board would allow the Chair of the Board and Clerk of the Board to sign the contracts. These two final signatures would enable the new contracts to take effect immediately. Until the Board votes to approve these new contracts, the County would only have five environmental consultants under general services contract for the year 2003. This would complicate staff's adherence to EIR contracting procedures established by the Board and would make it virtually impossible for the County to comply with time limits mandated by the state if an EIR needed to be prepared in the interim.

BACKGROUND:

In an effort to streamline the environmental review process, 1993/94 legislative amendments to the California Environmental Quality Act (CEQA) established a time limit applicable to public agencies that retain the services of an outside consultant to prepare environmental impact reports (EIRs) for private development projects under review. The 1993 CEQA amendment, as amended again in 1994, requires that consultants be under contract "*within 45 days from the date on which the lead agency sends a notice of preparation* [Public Resources Code Section 21151.5(b)]."

In response to the legislative amendments to CEQA, the Board approved changes to Planning and Development Department's EIR consultant contracting procedures to ensure that the new 45-day time limit could be met. Prior to 1993, County staff would not begin to search for, and negotiate a contract with, an available and qualified consultant until it was known that an EIR would be required for a given project and a precise work scope had been determined. This process of searching for the most qualified and available consultants (i.e., requesting and reviewing qualifications) and negotiating contract terms would typically take more than 45 days. Moreover, the process would be redundant if other EIRs were needed before any substantial changes had occurred with respect to the number of qualified consulting firms available and their respective billing rates.

Under the current EIR contracting procedures, the process of searching, selecting and contracting with qualified consultants occurs at the beginning of each year. Under general services contract,

each of the consultants determined by staff to be qualified agree to be available throughout the year to perform certain services at certain billing rates and under certain terms. As the need for EIR preparation arises during that year, the consultants under general services contract that seem most uniquely qualified given the nature of a particular project are requested to submit focused proposals based on a specific work scope. The most qualified and competitive of the pre-qualified consultants is then selected and, since the consultant is already under contract, a Notice To Proceed is issued immediately. This procedure significantly shortens the time it takes to begin EIR preparation and allows the County to meet the 45-day state mandate.

In 1994, the County's first group of pre-qualified consultants under general services contract was established through a recruitment process whereby Statements of Qualification (SOQs) were requested and contracts were negotiated with the consultants deemed qualified. This recruitment process was performed again in 1996 and, on a couple of occasions, individual firms were added to the group mid-year. For the most part, however, the most recent (2002) group of pre-qualified consultants has been maintained by simply extending contracts from the previous year.

Contracts Entered Into In Previous Years

The following Table lists the County EIRs contracted for under the general services contract over the past several years.

2002	
Consultant	Project Name
SAIC	Rice Ranch
Morro Group	Orcutt Plaza Shopping Center
Firma	Claeysens
2001	
Consultant	Project Name
SAIC	Sandpiper
2000	
Consultant	Project Name
SAIC	The Bluffs at Mesa Oaks
SAIC	Cabrillo Business Park
SAIC	Monarch Point
Rincon	Providence Landing
Rincon	The North County Jail
1999	
Consultant	Project Name
Rincon	Rice Ranch
SAIC	Ellwood Beach
1998	
Consultant	Project Name
SAIC	Val Verde
SAIC	Santa Barbara Shores
1997	
Consultant	Project Name
Rincon	North County Jail

Expectations Under Services Contracts

The services contracts would not obligate the County to direct any amount of work to any of the consultants. Consultants would only be used if (1) the need for such services arises and (2) they are selected through a competitive focused proposal process and issued a Notice to Proceed. However, the services contracts would obligate the consultants to the rates, sub-consultants, and management team identified in their SOQs. Again, it is expected that both quality and cost competitiveness will be improved as a result of this year's consultant services contracts update.

MANDATES AND SERVICE LEVELS:

The use of consultant services contracts for EIR preparation is not mandated by CEQA but is commonly used in Santa Barbara County and numerous other jurisdictions as a means to meet CEQA-mandated time lines and therefore streamline the environmental review process. There would be no change in County programs or service levels as a result of this year's consultant contract services update.

FISCAL AND FACILITIES IMPACTS:

Approximately 5 hours of staff time has been dedicated to this year's consultant services contracts update. This time has been allocated within the present P&D budget for this fiscal year. Costs for processing permit applications, including CEQA review and consultant costs, are funded by applicants on a project-by-project basis. No additional costs to the County would therefore be associated with the proposed contracts once signed.

SPECIAL INSTRUCTIONS:

- o Clerk of the Board will forward a copy of the Minute Order and executed contracts to Planning and Development Staff.
- o Planning and Development will forward copies of executed contracts to consultant firms.

CONCURRENCE:

County Counsel, Risk Management, and Auditor-Controller

ATTACHMENTS:

- 1.0 Updated Contact Amendments Signed by Qualified Consultants
- 2.0 Contract Summary Forms