



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: General Services  
Department No.: 063  
For Agenda Of: June 19, 2012  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from: N/A  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** General Services: Bob Nisbet, Director (805-560-1011)  
Contact Info: Paddy Langlands, Assistant Director (805-568-3096)  
**SUBJECT:** **Bid Waiver Request for Romtec Utilities, Inc.  
Goleta Beach Sewer Lift Station Replacement, Project #8729, Goleta Beach, CA  
Second Supervisorial District**

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**County Counsel Concurrence**

As to form: N/A

**Other Concurrence:** Purchasing Division

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** Community Services Dpt.

As to form: Yes

**Recommended Actions:**

That the Board of Supervisors:

- a) Authorize the Purchasing Agent to utilize a California Multiple Award Schedule (CMAS) to issue a purchase order to Romtec Utilities, Inc. in the amount of \$117,823.89 to procure a pre-fabricated wet well system (materials only) without a competitive bid for the Goleta Beach Sewer Lift Station Replacement (Project #8729); and
- b) Find that pursuant to the California Environmental Quality Act (CEQA) 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 exemption, and therefore this action is within the scope of the project covered by the exemption approved and adopted by the Board for this project on September 13, 2011, and that therefore no new environmental document is required.

**Summary Text:**

Approval of the recommended action would authorize the use of public funds to utilize a CMAS contract for the material purchase of a pre-fabricated wet well system to replace the existing deteriorated wet well system at Goleta Beach. The 40-year old lift station at Goleta Beach manages all sewage effluent of the park facilities, including the Beachside restaurant, restrooms and ranger residences, and is

scheduled for replacement within the coming months. CMAS contractors offer products and services at pre-negotiated prices that have been assessed by the State of California to be fair, reasonable and competitive, hence ordering offices need not seek further competition or make a separate determination of fair and reasonable pricing. The California Public Contract Code Section 10298(a) sets forth that state and local government agencies empowered to expend public funds may contract with suppliers awarded competitive pricing contracts, such as CMAS, without further bidding. General Services was unable to locate a local manufacturer of the pre-fabricated wet well systems, and recommends that due to the specialized nature of lift station systems, the most efficient and economical way to proceed is through utilization of a well reputed CMAS contractor, Romtec Utilities.

**Background:**

The Goleta Beach lift station is a wastewater pump station that lifts sewage flow from a low point in the system up to an elevation that allows for gravity-driven flow to a nearby wastewater plant, and is of strategic importance in that it services the sewage effluent of the Beachside restaurant (a County concession), restrooms and ranger residences at Goleta Beach Park. The existing sewer lift station is in dire need of replacement based on the deteriorating concrete wet well and failing pump and control systems. In order for the timely implementation of a new wet well system, and given the inability to locate a local manufacturer to provide such a prefabricated system (as confirmed by the County Purchasing Agent), it is proposed to procure the pre-fabricated wet well system from Romtec Utilities through a CMAS contract and furnish the materials to the lowest bidder for installation.

CMAS is a negotiated pricing system utilized by the State of California by which contractors offer goods and services at prices that the State deems fair, reasonable and competitive. It is the option of an approved CMAS contractor to allow local government agencies to use their CMAS contract pricing; Romtec Utilities is a CMAS contractor and has offered the County use of their CMAS pricing, which is approximately 25% lower than pricing they offer out of the CMAS system.

The California Public Contract Code Section 10298(a) states that “The director may consolidate the needs of multiple state agencies for goods, information technology, and services, and...establish contracts, master agreements, multiple award schedules, cooperative agreements, including agreements with entities outside the state, and other types of agreements that leverage the State’s buying power,” and further asserts that, “State and local agencies may contract with suppliers awarded those contracts without further competitive bidding.” County Code Section 2-39 states that the Purchasing Agent is obliged to purchase all materials, supplies, furnishings and equipment by using a formal competitive bidding process, unless the Board of Supervisors has waived competition under a particular set of circumstances. Given the urgency of the needed replacement, the economic advantage, and due to the “limitations in source or supply” pursuant to County Code Section 2-39, General Services recommends that the Board of Supervisors waive the requirement for a competitive bid for purchase of the pre-fabricated wet well system for the Goleta Beach lift station.

The total construction cost of the project is estimated to be \$522,000, with a total project cost estimate of \$625,000. Four hundred four thousand (\$404,000) of the construction costs would be utilized for installation of the new lift system which is being competitively bid, and, if approved, the remaining \$118,000 would be utilized to purchase the wet well and related materials under a CMAS contract with Romtec Utilities, and is the subject of the recommended Board action. If approved, the lift station replacement would be completed in October, 2012.

**CEQA:**

The Notice of Exemption for the construction of the Goleta Beach Sewer Lift Station Replacement was accepted by the Board on September 11, 2011. Pursuant to CEQA 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 the exemption, and therefore the bid waiver is within the scope of the project covered by the exemption, therefore, no new environmental document is required.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
Community Services Department Capital Projects Fund	625,000		625,000
<b>Total</b>	625,000	\$ -	625,000

**Narrative:**

Construction for this project is estimated to cost approximately \$522,000 with a total project cost of approximately \$625,000, and is being funded by the Community Services Department through the Community Services Department Capital Projects Fund. Six hundred thousand dollars (\$600,000) has been designated in the Community Services Department Capital Projects Fund pursuant to Board approval on September 13, 2011. Those funds are available through reimbursement in Fund 0031, Department 052, Program 1931, Account 8700, Project 8634. The remaining \$25,000 will be made available by budget revision to be approved by the Board on or before the hearing in which the Board is asked to award the construction contract.

**Staffing Impacts:**

**Legal Positions:**  
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**FTEs:**  
0

**Special Instructions:**

Please send a copy of the minute order to:

1. Jill Van Wie, Community Services Department
2. Mark Masoner, General Services Department

**Authored by:**

Jill Van Wie, Community Services (568-2470)