



## 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

<b>Department Name:</b>	Planning & Development
<b>Department No.:</b>	053
<b>For Agenda Of:</b>	August 23, 2016
<b>Placement:</b>	Administrative
<b>Estimated Time:</b>	N/A
<b>Continued Item:</b>	No
<b>If Yes, date from:</b>	
<b>Vote Required:</b>	Majority

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**TO:** Board of Supervisors

**FROM:** Department Planning & Development  
Director(s) Glenn Russell, Ph.D., Director, 568-2085

Contact Info: Jeff Wilson, Deputy Director, Development Review Division  
568-2518

**SUBJECT:** Execute an agreement incorporating Purchase Order No. CN17890 and increasing the scope of work and funding for completion of an Environmental Impact Report for the proposed Cate School Master Plan Revision project, 1<sup>st</sup> Supervisorial District.

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**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, ratify, and authorize the Chair to execute the professional services agreement for the term beginning on April 9, 2015 and ending on July 1, 2017, to increase the scope of work and costs not to exceed an additional \$18,882 for a total contract maximum of \$118,825 (Attachment 1); and
- b) Determine that this action is exempt from CEQA pursuant to Section 15378(b)(5), which exempts organizational or administrative activities of governments that will not result in direct or indirect physical changes to the environment (Attachment 2).

**Summary Text:**

The attached professional services agreement, which incorporates the County's original contract with Amec Foster Wheeler under Purchase Order (P.O.) No. CN17890 dated April 9, 2015, allows Amec Foster Wheeler to continue to provide environmental consulting services to the Planning and

Development Department, Development Review Division for completion of the Environmental Impact Report (EIR) for the Cate School Master Plan Revision project. The original P.O. to provide this service was for \$99,943. An additional amount of \$18,882 was requested by Amec Foster Wheeler on July 7, 2016 and has been fully funded by Cate School in order to address unanticipated issues that arose during preparation of the Draft EIR. When combined with the existing P.O., the resulting Planning and Development contract of \$118,825 will exceed the \$100,000 purchasing threshold, and therefore requires Board approval.

### **Background:**

Cate School is requesting a revision to their previously approved Master Plan under Case No. 13RVP-00000-00009. Amec Foster Wheeler has been retained by the County to prepare the Environmental Impact Report required to evaluate the environmental impacts of the proposed project.

### **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>
General Fund			
State			
Federal			
Fees			
Other: Reimbursement			\$ 118,825.00
Total	\$ -	\$ -	\$ 118,825.00

All costs for work conducted by Amec Foster Wheeler under this contract are fully reimbursed by Cate School, which has already deposited the entire contract amount of \$99,943 for the original P.O. and \$18,882 for the contract augmentation with the County. As specified in Exhibit B (Payment Arrangements) of the Agreement for Services (Attachment 1), Amec Foster Wheeler's invoices for the work will be continue to be submitted monthly and paid from the deposited funds on a net-30 basis upon receipt of correct and complete invoices, and staff's determination of satisfactory work. This work is funded in the Planning and Development Permitting Budget Program, as shown on page D-289 of the adopted 2016-2018 FY budget. Execution of the Amec Foster Wheeler contract will not have fiscal impacts to other departments. No budget revision is required.

### **Key Contract Risks:**

A risk analysis was performed and the proposed contractual agreement was rated as having moderate risk due to the medium contract size, limited performance period, limited number of bidders, positive experience with the contractor, and moderate complexity. The entire amount of the contract has been paid by the applicant in the form of a deposit to the County. The existing contractor, Amec Foster Wheeler, has provided consultant services to the Development Review Division since 2008. The County has consistently received excellent services from Amec Foster Wheeler. The Agreement indemnifies County agents, officers, and employees from all claims that arise from activities performed under the Agreement. As such, there is no risk to County fiscal resources.

### **Staffing Impacts**

No additional staffing is required to implement and manage this contract.

**Special Instructions:**

1. Please forward a copy of the Agreement for Services and Minute Order to P&D Development Review Division, attention Joyce Gerber.
2. Please forward a copy of the Agreement for Services and Minute Order to P&D Accounting, attention Crysta Rider.

**Attachments:**

Attachment 1: Agreement for Services with Amec Foster Wheeler

- Exhibit A: Statement of Work
- A1: Proposal for Additional Work
  - A2: Tasks and Labor Summary
  - A3: Scope of Work under P.O. CN17890
- Exhibit B: Payment Arrangements
- B1: Amec Foster Wheeler 2016 Schedule of Fees
- Exhibit C: Indemnification and Insurance Requirements

Attachment 2: CEQA Notice of Exemption

**Authored by:** Joyce Gerber