



## Legislation Text

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**File #:** 19-0485, **Version:** 1

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Environmental Management Department recommending the Board approve and authorize the Chair to sign Amendment 1 to Agreement for Services 2874 with Stratus Environmental, Inc. for the provision of landfill gas compliance monitoring and reporting services in order to extend the term three additional years through May 21, 2022, increase the total amount of the Agreement by \$135,000 for a new not-to-exceed amount of \$177,755, include a new annual cost estimate to cover the extended term, and include other minor administrative changes as necessary, with no change to the scope of work.

**FUNDING:** County Service Area No. 10 - Solid Waste funds. (Non-General Fund)

### **DISCUSSION / BACKGROUND**

On May 11, 2018, the Environmental Management Department (Environmental Management) entered into a one (1) year agreement with Stratus Environmental, Inc. (Stratus) to provide scheduled landfill gas compliance monitoring and reporting services as well as general assistance and repair work on an as-needed basis for the landfill gas collection system at the Union Mine Disposal Site. The purpose of the one (1) year term agreement was to serve as a trial basis as this was the first time Environmental Management has contracted with Stratus. Stratus has since provided exceptional services and Environmental Management would like to continue these required services with Stratus, thereby requesting to amend the current agreement.

In August, 2016, the Community Development Agency issued a Request for Qualifications (RFQ) to establish a list of qualified firms for 25 categories of professional services. In accordance with Procurement Policy C-17, Section 7.10, RFQ, CDA formed an evaluation committee. The committee reviewed responses for the category of landfill gas compliance monitoring and reporting. The evaluation for this category was based on specific experience to successfully provide the full range of services; demonstration of management and organizational ability relative to time management, scheduling & staff/client relationships; history of repeat business with clients; demonstration of understanding community social relationships and citizen's environmental concerns; and amount of work performed internal to the prime consultant. There were two (2) qualified responses. In February, 2018, Environmental Management solicited cost proposals from both qualified firms and upon evaluation, Stratus was selected to provide these services.

Services provided by Stratus include landfill gas compliance monitoring and reporting for the Union Mine Disposal Site as required by various permits and regulations detailed below. Stratus' services enable Environmental Management to test, report, and comply with the annual Air Quality Management District permits and also provide for minor repair and maintenance work for the gas collection system. There are 23 landfill gas extraction wells that must be monitored monthly; eight (8) landfill gas perimeter probes that must be monitored quarterly; and a surface scan of the entire closed portion of the landfill that must also be conducted quarterly to meet the permit requirements.

Without these services, Environmental Management would not be in compliance with the California Code of Regulations (CCR), Title 27, sections 20917 through 20939, requiring landfill gas monitoring

and reporting, and CCR, Title 17, sections 95460 through 95476 pursuant to the passage “The Global Warming Solutions Act of 2006” commonly known as Assembly Bill 32 (AB32), requiring a significant reduction of greenhouse gas (GHG) emissions. AB32 required, in part, the state Air Resources Board to adopt, in law, regulations to require the reporting and verification of statewide GHG emissions from landfills and to monitor and enforce compliance with this program.

There is currently a County classification that could provide landfill gas system compliance monitoring; however, it has been determined by the Placer County, Health and Human Services Department, acting as the Local Enforcement Agency (LEA), that a third party shall perform the environmental monitoring as indicated on the Union Mine Landfill Final Closure Plan submitted to and approved by the LEA and the State of California, Department of Resources Recycling and Recovery (CalRecycle), formerly the California Integrated Waste Management Board, dated March 2006 (Attachment D).

There are currently no County classifications that could perform the maintenance and repair work for above-ground gas lines. The equipment used for the repair work is very expensive and requires specialty skills to perform this as-needed and on-site work.

As such, Environmental Management is recommending that the Board make findings pursuant with Section 3.13.030 of the El Dorado County Ordinance that independent contractors have specialty skills and qualifications required and can more economically and feasibly perform the work than County employees.

## **ALTERNATIVES**

The Board may choose to deny the approval of this proposed Amendment 1. This would result in the Agreement expiring on May 21, 2018, and would also result in Environmental Management failing to comply with various state regulations and local permits for the Union Mine Disposal Site.

## **PRIOR BOARD ACTION**

N/A

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have approved the proposed Amendment 1.

## **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

## **FINANCIAL IMPACT**

There is no change to Net County Cost associated with this item. The adopted Fiscal Year 2018-19 budget includes \$50,000 specifically budgeted under County Service Area No. 10 - Solid Waste funds for these services. The proposed Fiscal Year 2019-20 budget and future budgets for the remaining term of this amendment will include the same amount of funding for these services.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) Clerk of the Board will obtain the Chair’s signature on two (2) original copies of Amendment 1.
- 2) Clerk of the Board will forward one (1) fully-executed original copy of Amendment 1 to the Chief Administrative Office, Contracts and Procurement Division, for further processing.

**STRATEGIC PLAN COMPONENT**

Infrastructure

**CONTACT**

Greg Stanton, REHS, Director  
Environmental Management Department