



Legislation Text

File #: 24-0379, **Version:** 1

Environmental Management Department recommending the Board approve and authorize the Chair to execute Amendment II to Agreement 2098 with Global Labs, Inc., doing business as California Laboratory Services, for the provision of as-needed collection and analysis of groundwater, surface water, stormwater, wastewater, soil, hazardous materials, and hazardous waste sample testing services for the Union Mine Disposal Site and other various County locations as needed, extending the term of the Agreement for an additional three (3) years, expiring March 12, 2027 and increasing the not-to-exceed amount by \$300,000, for a total not-to-exceed amount of \$900,000, with updated rates in Exhibit B.

FUNDING: Non-General Fund/County Service Area 10 - Solid Waste and Liquid Waste funds.

DISCUSSION / BACKGROUND

On March 18, 2018 (Item No. 17, File No 17-1366), the Board approved a three (3) year agreement with Global Labs, Inc. doing business as California Laboratory Services (CLS), to provide as-needed collection and analysis of groundwater, surface water, stormwater, wastewater, soil, hazardous materials, and hazardous waste sample testing services for the Union Mine Disposal Site and other various County locations.

Prior to approval of this Agreement, and in accordance with procurement Policy C-17, 3.3.3, Request for Qualifications, the Environmental Management Department (Environmental Management) formed an evaluation committee to review all the categories. The committee reviewed responses for the category of laboratory testing and sample analysis services on the basis of each consultant's specific experience and California accreditation specified by California Health and Safety Code sections 100825 through 100920 to successfully provide the full range of services, demonstration of management and organizational ability relative to time management, scheduling and 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. It was determined that CLS was qualified to provide these services for the Union Mine Disposal Site and other various County locations on an as-needed basis, including for the Certified Unified Program Agency (CUPA).

On March 9, 2021, the Board (File No. 21-0028) approved Amendment 1 to this Agreement to continue these services for an additional three-year period, expiring March 12, 2024. Environmental Management has worked with CLS for the past 15 years. Services provided by CLS include courier service at no additional charge for the safe collection and analysis of groundwater, surface water, stormwater, wastewater, soil, hazardous materials, and hazardous waste sample testing. Varying degrees of analytical testing of groundwater, surface water, wastewater, stormwater, soil hazardous materials, and hazardous waste are required either by law, permit, and/or public safety.

Additionally, the County no longer operates a public health laboratory; therefore, the County does not

provide any of these services. Prior to the County closing its laboratory, the County laboratory was unable to perform the majority of the tests required, did not have a courier service to pick up samples from the various locations, and did not provide after-hours, weekend, and emergency testing services.

Environmental Management is recommending the Board approve the proposed Amendment II to this Agreement in order to continue these services for an additional three (3) year period, expiring March 12, 2027. Amendment II will increase the not to exceed amount by \$300,000 for a total not-to-exceed amount of \$900,000.

In accordance with County Procurement Policy C-17, Section 3.4, the agreement for services is exempt from competitive bidding as the services provided by CLS require highly specialized skills and qualifications gained over the course of the past 15 years of service to the Waste Water Treatment Plant and that this Contract qualifies as a Sole Source exemption to the Competitive Bidding requirement. Section 3.4.2(a) allows for a service to be obtained through a specific vendor when due to a technological, specialized, unique character of the good. Subsection (f) allows for a competitive process exception when the desired vendor provides efficiency or critical knowledge, and other providers of the goods cannot provide similar efficiencies or critical knowledge.

ALTERNATIVES

The Board may choose not to approve the Amendment II to agreement 2098. This would result in Environmental Management being without a contract to continue having these services provided and would not be in compliance with state and federal testing and reporting requirements for the Union Mine Disposal Site.

PRIOR BOARD ACTION

See Discussion/Background above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

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

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

There is no change to Net County Cost associated with this item. Funding for these services is available in Fiscal Year 2024-25 and will be included in the Fiscal Year 2025-26 and 2026-27 recommended budgets.

CLERK OF THE BOARD FOLLOW UP ACTIONS

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

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

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