

County Of Sonoma Agenda Item Summary Report

Clerk of the Board Use Only
 Meeting Date Held Until
 / / / /
 Agenda Item No: Agenda Item No:
 _____ _____

Department: Transportation and Public Works

4/5 Vote Not Required

Contact:
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Phone:
(707) 565-2231

Board Date:
10/27/2009

Deadline for Board Action:
10/15/2009

AGENDA SHORT TITLE: First Amendment to the Agreement for Source Testing and Landfill Gas Characterization for the Central Disposal Site and the Healdsburg Closed Landfill.

REQUESTED BOARD ACTION: Approve and authorize the Chair to sign the First Amendment to the Agreement for Professional Services with Blue Sky Environmental, LLC to provide (1) source testing for 10 internal combustion engines and one enclosed ground flare at the Central Disposal Site and one enclosed flare at the Healdsburg closed landfill, and (2) landfill gas characterization at the Central Disposal Site and Healdsburg closed landfill, extending the Agreement to December 31, 2011 (Second and Fourth Supervisorial Districts).

CURRENT FISCAL YEAR FINANCIAL IMPACT

EXPENDITURES:

ADDITIONAL FUNDS REQUIRING BOARD APPROVAL:

| | | | |
|---------------------------------------|-----------------|-----------------------------------|------------|
| Estimated Cost | \$18,400 | Contingencies | \$0 |
| | | (Fund Name:) | |
| Amount Budgeted | \$18,400 | Unanticipated Revenue | \$0 |
| | | (Source:) | |
| Other Available Appropriations | \$0 | Other Transfers | \$0 |
| (Explain Below) | | (Source:) | |
| Additional Requested | \$0 | Additional Funds Requested | \$0 |

Explanation (if required): None.

Prior Board Action: 10/26/04: Board approved Agreement with Blue Sky Environmental for source testing and landfill gas characterization for the Central Disposal Site and Healdsburg closed landfill.

Alternatives – Results of Non-Approval: The Board may not approve the Amendment to the Agreement with the Contractor. Board may direct staff to issue an RFP for the services. Failure to approve an agreement with a contractor will result in a violation of the County's Permit to Operate Plant #A2254, Condition 19933, Part 8 and Condition #4044, Parts 17 and 18, which may result in an enforcement action by Federal and/or State agencies.

Background: In July of 2004 the County issued a Request for Proposal (RFP) for Professional Services for the gas characterization and source testing of ten internal combustion engines and two enclosed ground flares (one flare at the Central Disposal Site and one flare at the Healdsburg closed landfill). Blue Sky Environmental, LLC (“Consultant”), was the successful respondent to the RFP. On October 26, 2004, the Chair executed an Agreement with the Consultant in the amount of \$97,785 to provide mandatory annual source testing and gas characterization for both the Central Disposal Site and the Healdsburg closed landfill.

The term of the Agreement was for three years with two one-year options to extend the Agreement. The Agreement was extended according to the terms of the Agreement using a Notice of Intent to Extend signed by the Director of Transportation and Public Works on September 4, 2007, and April 8, 2008, to continue the required source testing and landfill gas characterization. The existing term of the Agreement expires December 31, 2009.

The Consultant has specialized expertise for services required by Federal and State laws and regulations that cannot be provided by County staff. Under this Amendment the Consultant will continue to perform gas characterization and source testing at the Central Disposal Site and the Healdsburg closed landfill for the next two years. Amending the Agreement will also maintain continuity with the County’s landfill gas-to-energy (LFGE) contractor, Landfill Energy Systems.

The Consultant is one of three local consultants with the expertise to perform the required work and is listed on the California Air Resources Board website as a State approved contractor. Staff has made informal inquiries to other consultants capable of providing this detailed scope of work required under this agreement and has been informed by those consultants that informal estimates for comparison purposes cannot be provided due to the complexity of the work. The Consultant has agreed to honor its Fiscal Year 2008/09 price of \$18,420 for source testing and gas characterization of the Central Disposal Site required during Fiscal Year 2010/11 and its Fiscal Year 2007/08 price of \$23,315 for source testing and gas characterization of the Central Disposal Site and Healdsburg closed landfill required during Fiscal Year 2011/12.

Staff is recommending that the Agreement be extended to December 31, 2011, until the final outcome of the divestiture is known. If the divestiture is successful, source testing and landfill gas characterization for the Central Disposal Site will no longer be the responsibility of the County, which will significantly change the scope of work for such an agreement and would, at that time, require the development of a specific scope of work for an RFP for services required at the Healdsburg closed landfill. As this Agreement was already established when the divestiture process started, staff believes that continuing to hire the Consultant under the same terms and conditions of the current Agreement is a prudent approach until such time as the divestiture process is complete.

Funding for this Agreement is budgeted in the FY 09/10 Refuse Enterprise Fund Budget (286112-8510).

The Amendment to the Agreement has been reviewed and approved as to form by County Counsel.

Recommendation:

Approve and authorize the Chair to sign the First Amendment to the Agreement for Professional Services with Blue Sky Environmental, LLC to provide (1) source testing for 10 internal combustion engines and one enclosed ground flare at the Central Disposal Site and one enclosed flare at the Healdsburg closed landfill, and (2) landfill gas characterization at the Central Disposal Site and Healdsburg closed landfill, extending the Agreement to December 31, 2011 (Second and Fourth Supervisorial Districts).

Attachments: None.

On File With Clerk: First Amendment to Agreement for Professional Services.

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote: