



Midpeninsula Regional  
Open Space District

R-14-156  
Meeting 14-35  
December 17, 2014

## AGENDA ITEM 7

### AGENDA ITEM

Authorization to Award Contract Amendments to Three Firms for Biological Consulting Services

#### GENERAL MANAGER'S RECOMMENDATION

A handwritten signature in black ink, appearing to be "S.M.", written over the printed text of the recommendation header.

Authorize the General Manager to award contract amendments to Biological Monitoring and Assessment Specialists (BioMaAS), Biosearch Associates (Biosearch), and URS Corporation (URS) for an amount not-to-exceed \$50,000 (each) to provide biological consulting services to implement biological services for District projects.

#### SUMMARY

Biological consulting technical experts were required to complete numerous FY2014-15 Action Plan projects. Natural resources staff compiled a Request for Proposals and Qualifications (RFPQ) to solicit interest from several biological consultant teams that possess the required skill set, in an effort to maximize efficiency and create opportunities for multiple consultants, rather than solicit an RFP for each individual project. Three firms (Biosearch, BioMaAS, and URS) are the only firms on the prequalification list with the capability to directly perform biological consulting services for the San Francisco garter snake (SFGS). Each of these firms has a contractual limitation of \$25,000. Biosearch and BioMaAs have expended nearly all of their contracts and URS is slated for use on a FY2015-16 project for which SFGS expertise is required and may expend their entire remaining contract amount. Based on their unique SFGS-related qualifications and anticipated District projects for FY2015-16 and FY2016-17, staff recommends awarding each firm a contract amendment to bring their total not to exceed contract amount to \$50,000, which would be available for use through August 8, 2016 (the period of time specified in the RFPQ). This would result in a \$75,000 increase in funding for these three firms over the next two years and give a total project cost of \$150,000 including funds budgeted in the current fiscal year.

#### DISCUSSION

During implementation of the FY2014-15 Action Plan, the Natural Resources Department experienced a surge in requests for biological services in support of District projects. Many capital improvement projects implemented by the District have limited work windows due to sensitive status species permitting requirements. This often results in simultaneous requests for biological services that exceed staff capacity.

The District's "Public Contract Bidding, Vendor, and Professional Consultant Selection, and Purchasing Policy" allows qualified consultants who submit proposals to be placed on a prequalification roster for future related work for a period of up to two years from determination of the qualification of such consultant. On July 2, 2014, in compliance with this policy, the Natural Resources Department issued a RFPQ to fourteen (14) firms to provide Biological Consulting Services. Ten proposals were received. All of the proposing firms qualified to provide one or more of the solicited biological consulting services. Some firms are best qualified to provide relatively specialized services, while others are able to provide an entire suite of services to the District.

Only three firms (Biosearch, BioMaAS, and URS) on the prequalification list have the capability to perform biological consulting services for the SFGS. To date, Biosearch has already been allocated \$25,000, BioMaAS has expended much of their \$25,000 contract, and URS is currently slated for work in FY2015-16 which is anticipated to require much of their \$25,000 total contract. Based on the unique SFGS qualifications of these three firms, the existing total not-to-exceed amount of \$25,000 (each) over the next two years is likely to be insufficient. It is anticipated that work for one or more of these firms may exceed their initial contract amount this fiscal year. Staff is recommending that the Board authorize a \$25,000 amendment to each, bringing the total not-to-exceed amount of each consultant contract to \$50,000. However, if additional SFGS Services are not needed, or can be filled by District staff, there is no requirement for the District to spend the entire not-to-exceed amount for *any* of the issued contracts.

With the exception of anticipated additional SFGS work, the District's biological on-call consulting services contracts have been working well for both staff and the consultant teams. Staff has already received requests from additional firms who wish to be considered during the next RFPQ process which is planned prior to the expiration of the current 2-year prequalification list in August of 2016. At that time, District Natural Resources staff will review how the on-call services contracts and firms have been working and will make improvements as needed before awarding the next prequalification list. This process ensures that the District continues to solicit from the widest consultant pool possible, continues to obtain competitive rates and continues to develop working relationships over time with a variety of firms.

### **FISCAL IMPACT**

District projects are approved annually in the District action plan and budget, and some of these require biological services that would be awarded as task orders under the contracts authorized by this Board Agenda item. No task orders are issued under these contracts unless there is an associated board authorized project for which these services are required. Language in the on-call services contracts states that: "Consultant shall only be compensated for work performed under an authorized Task Order signed by District Representative." Funding for current task orders has been approved in the FY2014-15 budget. Funding for ongoing and future projects will be proposed in the FY2015-16 and FY2016-17 budgets. The Board's approval of the General Manager's recommendation could result in up to \$75,000 more expended on biological consulting services over the next two fiscal years, for a total expenditure of \$150,000 including funds budgeted for the current fiscal year.

### **BOARD COMMITTEE REVIEW**

There was no committee review for this agenda item.

**PUBLIC NOTICE**

Public notice was provided as required by the Brown Act.

**CEQA COMPLIANCE**

Retention of professional consultants to conduct evaluations, prepare design documents, and assist with environmental review or permitting does not constitute a project under CEQA as it will not result in a direct physical change in the environment [CEQA Guidelines Section 15060(c)(2)].

**NEXT STEPS**

The General Manager will amend the contracts with each of the three SFGS qualified firms for not-to-exceed contract amounts of \$50,000. This will bring the total amount of maximum potential spending under these contracts to \$150,000 for the three year period, including the current fiscal year. Expenditure of funds under these contracts will be limited to task orders associated with projects that are currently approved by the Board or subject to Board approval in future budget cycles.

Responsible Department Head:  
Kirk Lenington, Natural Resources Manager

Prepared by:  
Julie Andersen, Planner II