



## Suspension of Competition Acquisition Request

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1. Fully describe the product(s) and/or service(s) being requested.

Approve waiver of County Administrative Policy No 34 (Competitive Bids and Requests for Proposals and authorize the Board of Supervisors to execute a Consultant Agreement with Luhdorff &Scalmanini Consulting Engineers (LSCE) for preparation of a Groundwater Sustainability Plan (GSP) for Fresno County Management Area A & B for a portion of the Delta-Mendota Subbasin.

2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.

Will Halligan  
Luhdorff and Scalmanini Consulting Engineers  
500 1<sup>st</sup> Street  
Woodland, CA 95695  
(530) 661-0109  
whalligan@lsce.com

3. What is the total cost of the acquisition? If an agreement, state the total cost of the initial term and the amounts for potential renewal terms.

\$581,186 with a contingency for a maximum of \$120,000

4. Identify the unique qualities and/or capabilities of the service(s) and/or product(s) that qualify this as a Suspension of Competition acquisition.

LSCE has previously developed a numerical flow and solute transport model, based on the public domain United States Geological Survey modeling software MODFLOW and MT3DUSGS, that included Management Areas A and B. This model with some updates to comply with State Water Code requirements for GSP preparation regulations, will be able to be compared with the numerical flow model expected to be utilized by the San Luis Delta Mendota Water Authority (Water Authority) in other parts of the Subbasin to produce a consistent methodology. The utilization of the existing LSCE Model for GSP purposes will provide Fresno County with cost efficiencies compared with having to develop a new model or utilize other existing models which are not refined to the degree that the LSCE model is in Management A and B.

LSCE has developed an understanding of the geology and hydrogeology (conceptual model) of Management Area A and B and surrounding areas which will be utilized in the GSP efforts on behalf of Fresno County. This effort was conducted as part of the Mendota Pool Group's EIS/EIR Exchange Program that is currently in the Administrative Draft review stage. This conceptual model will need some modification to comply with GSP regulations, however, much of the information and data to develop a comprehensive hydrogeologic conceptual model in the vicinity of Management Areas A and B has already been attained.

LSCE has developed a data management system (DMS) as part of LSCE's management of the monitoring program agreed upon between the Mendota Pool Group and the San Joaquin River Exchange Contractors and Wonderful Orchards. This monitoring program has been conducted since the late 1990's and includes monitoring for subsidence, groundwater level, groundwater quality, surface water quality, and sediment quality. This DMS will be utilized in the Management Area A and B GSP efforts and in coordination with other GSAs to ensure the same datasets are being utilized and the DMS complies with SGMA and GSP data reporting protocols.

LSCE has developed a monitoring program consisting of aquifer specific monitoring facilities as part of historical monitoring of groundwater conditions. The monitoring network information includes well construction data, location, and other data required by DWR as part of GSP reporting requirements. The utilization of this information by LSCE will be extremely helpful in the providing efficiencies in the preparation of the GSP for Management Areas A and B

5. Identify from Administrative Policy #34 what circumstances constitute a Suspension of Competition.

- In an emergency when goods or services are immediately necessary for the preservation of the public health, welfare, or safety, or for the protection of County property.
- When the contract is with a federal, state, or local governmental agency.
- When the department head, with the concurrence of the Purchasing Agent, finds that the cost of preparing and administering a competitive bidding process in a particular case will equal or exceed the estimated contract amount or \$2,500 whichever is more.
- When a contract provides only for payment of per diem and travel expenses and there is to be no payment for services rendered.
- When obtaining the services of expert witnesses for litigation or special counsel to assist the County.
- When in unusual or extraordinary circumstances, the Board of Supervisors or the Purchasing Agent/Purchasing Manager determines that the best interests of the County would be served by not securing competitive bids or issuing a request for proposal.

6. Explain why the unique qualities and/or capabilities described above are essential to your department.  
Department staff does not possess the specific expertise and staffing to successfully complete GSP development. Luhdorff and Scalmanini has trained staff with the necessary expertise and understanding of the geology and hydrogeology of the area within the Delta Mendota Subbasin Management Areas A and B. Coupled with groundwater related investigations and monitoring in the area over 20 years, LSCE is best suited for the development of the GSP.
7. Provide a comprehensive explanation of the research done to verify that the recommended vendor is the only vendor with the unique qualities and/or capabilities stated above. Include a list of all other vendors contacted, what they were asked, and their responses.

Based on extensive groundwater data collection and methodologies already developed by LSCE within the Delta Mendota Subbasin area, particularly within the areas administered by Fresno County, LSCE is uniquely qualified to complete the GSP development within the timeframe that the Department of Water Resources (DWR) has allotted with a completion date of January 31, 2020. In order for a competing firm to develop a similar plan, they would need to replicate, at great cost and time, the datasets and methodologies already in possession of LSCE. Additionally, LSCE is providing consulting services for the preparation of a GSPs for several other adjacent GSAs within the Delta Mendota region utilizing similar methodologies, making coordination at the subbasin level much more efficient and effective. Given the unique qualifications of LSCE to perform the requested services, few firms were identified that would be able to provide similar services in a cost effective and timely manner.

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Division Manager

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Requested By:

Title

**I approve this request to suspend competition for the service(s) and/or product(s) identified herein.**

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bjimenez 3/27/2018 11:50:08 AM

[\[✉ Sign\]](#) Double click!

Department Head Signature

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gcornuelle 3/27/2018 12:17:08 PM

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Purchasing Manager Signature