



# Board Agenda Item 43

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DATE: January 24, 2023

TO: Board of Supervisors

SUBMITTED BY: Steven E. White, Director  
Department of Public Works and Planning

SUBJECT: Central Cal Waterworks, Inc. Agreement for Emergency Water and Wastewater Operator Services

RECOMMENDED ACTION(S):

- 1. Make a finding that it is in the best interest of the County to suspend the competitive bidding process, consistent with Administrative Policy 34 for unusual or extraordinary circumstances, as Central Cal Waterworks, Inc. is uniquely qualified and experienced to provide emergency water and wastewater operator services; and**
- 2. Approve and authorize the Chairman to execute an Agreement with Central Cal Waterworks, Inc. for emergency water and wastewater operator services, converted from Purchasing Agreement No. 22-446, effective October 6, 2022, not to exceed two years, total not to exceed \$700,000. (4/5 vote).**

Approval of the recommended actions will allow the current Purchasing Agreement No. 22-446, effective October 6, 2022, with Central Cal Waterworks, Inc. (Exhibit B), to be converted to a Board Agreement, to provide emergency water and wastewater operator services for Fresno County Special Districts (Special Districts). A suspension of competition is requested because Central Cal Waterworks, Inc. is the only company that is qualified and can provide the necessary emergency coverage for the Special Districts water and wastewater plants and systems. Section 13 of the County's Charter requires a 4/5 vote to contract services that are being performed by County staff. This item is countywide.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended actions are not approved, Special Districts will have insufficient staffing to adequately operate the 22 water and 11 wastewater systems. Insufficient staffing for the water and wastewater systems could lead to serious health and public safety violations.

SUSPENSION OF COMPETITION/SOLE SOURCE CONTRACT:

The Department's request to suspend the competitive bid process is consistent with Administrative Policy No. 34 as Central Cal Waterworks, Inc. is the only company with sufficient staff that possess the required certifications and can provide the necessary emergency operator coverage for the Special Districts water and wastewater plants and systems throughout the County. Staff from Central Cal Waterworks, Inc. have already been trained at the Special Districts sites and are familiar with the systems. Purchasing concurs with this recommendation.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended actions for costs charged to Special Districts. The recommended Agreement will have a spending limit of \$700,000 over a two-year term. Sufficient appropriations and estimated revenues are included in various Department of Public Works and Planning - Special Districts FY 2022-23 Adopted Budgets. Funds for each district are generated through assessments, service charges, carryover funds and interest income. The Department currently has three pending invoices (\$18,082.67), that would take the total amount spent over the County standard Purchasing Agreement maximum limit.

DISCUSSION:

The Special Districts section of the Public Works and Planning Department (Special Districts), operates and maintains 22 water systems and 11 wastewater treatment facilities (Exhibit A). The locations of the water and wastewater systems range from as far west as El Porvenir located near Interstate 5, to Tamarack located near Huntington Lake at the 7,300-foot elevation in the Sierras, approximately 135 miles apart by road travel. These systems operate 24 hours a day, seven days a week and are maintained and operated by Special Districts field staff, which is primarily composed of Water/Wastewater Specialists. Historically, these positions have been difficult in terms of recruiting and retaining staff due to the required certifications in water distribution, water treatment, and wastewater treatment. Recruitment and retention of a sufficient number of trained staff is further necessary due to new development and increasing water/wastewater monitoring standards.

Due to severe staffing shortages in the first half of FY 2022-2023, it became necessary to enter into a service agreement with an outside contractor to oversee the operations of several Special Districts water and wastewater systems on an emergency basis. Not employing sufficient staff to adequately operate all water and wastewater systems could lead to serious health and public safety violations, as well as costly fines or penalties from the State.

On October 6, 2022, Purchasing Agreement #22-446 was executed with Central Cal Waterworks, Inc. in order to oversee and manage operations of several County Service Area water and wastewater systems-including monitoring of sites, collection of data, and reporting of data to state and local departments.

Special Districts is now recommending the current Purchasing Agreement with Central Cal Waterworks Inc. be converted into a Board agreement, as the maximum allowable for services exceeds the Purchasing Manager's authority of \$200,000.

Central Cal Waterworks, Inc. has operators with both the experiences and required certifications to run the Special Districts systems. In addition, they have been trained at the Special Districts sites and have been actively operating several of the water and wastewater systems for the last few months.

It is anticipated that additional staffing needs will be addressed in the second half of FY 2022-2023, and such additional staffing will allow Special Districts staff to maintain and operate the systems without the need of an outside contractor. The Agreement before your Board is for a two-year term in order to ensure sufficiently staffed water and wastewater operation services in the event additional staffing needs remain unfilled.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Exhibit A  
Exhibit B  
Suspension of Competition  
On file with Clerk - Agreement with Central Cal Waterworks

CAO ANALYST:

Salvador Espino