



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 34 (Competitive Bids and Requests for Proposals) and authorize the Board of Supervisors to execute a Consultant Agreement with Rincon Consultants Inc. for preparation of a Climate Action and Adaptation Plan (CAAP). Preparation of a CAAP is a requirement of the County-adopted General Plan and associated Environmental Impact Report approved by the Board of Supervisors in February of 2024.
 2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.
Rincon Consultants, Inc c/o Erik Feldman, Senior Principal, 4589 N. Marty Ave., #102, Fresno, CA 93722, (559) 228-9925, efeldman@rinconconsultants.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.
Total agreement cost for all deliverables including contingencies is \$628,255.92. Includes \$52,500 for contingency work and \$41,029 for environmental (CEQA) analysis.
 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.
Rincon was the County's land use and environmental consultant for the 2024 General Plan Review Project and was instrumental in the preparation of the General Plan and associated Environmental Impact Report (EIR), including developing mitigation language for the CAAP, which is a mandated requirement by the State of California with the objective of meeting Greenhouse Gas emissions reduction consistent with State law (Health and Safety Code Section 38566 et seq. [Senate Bill 32] and Executive Order B-55-18). The General Plan's 2024 adopted EIR Mitigation Measures GHG-1 and GHG-2, as well as General Plan Policies HS-G.12 and HS-G.13, require the County to seek funding for a Greenhouse Gas Inventory and preparation of a CAAP, and stipulates that the County undertake a countywide CAAP within two years of the adoption of General Plan. Because of CAAP preparation timing, the Board of Supervisors prioritized its preparation by allocating funding (\$600,000) with the adoption of the FY 25/26 budget. There are expected cost and time savings given Rincon's familiarity with the County's General Plan and EIR and their extensive knowledge with prior preparation of successful CAAP's in California.
 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 \$5,000 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.
Rincon is a land use consulting firm with local and state-wide offices that is also most familiar with the County General Plan, EIR and CAAP requirements. Rincon has been broadly successful preparing CAAP's for other jurisdictions within the State. Given the effort and time involved in preparing the General Plan and the anticipated additional specialized effort to prepare a successful CAAP, staff believes retaining Rincon for preparation of the CAAP is beneficial for all parties. They are an environmental consultant in good standing on the Department's environmental consultant list. To require an RFP for the CAAP will cause the County to expend additional funds and time beyond deadlines established in the General Plan and EIR to begin the CAAP effort. Also, a new consultant will need additional time to become familiar with the County's CAAP requirements.
 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.
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Rincon has been the County's consultant assisting with the General Plan following 2015 Board approval to include an Environmental Impact Report as part of the revision to the General Plan document, and Rincon has been the primary consultant on the General Plan project since 2021. Rincon has also been a trusted consultant working with or on behalf of County staff on a number of other Department of Public Works and Planning projects in addition to the General Plan.

Manager, Development
Services and Capital
Projects

Title

cmotta 1/26/2026 9:45:29 AM

Requested By:

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

stwhite 1/26/2026 1:49:02 PM

Department Head Signature

[\[✕ Sign\]](#) Double click!

rblackburn 1/29/2026 3:28:30 PM

Purchasing Manager Signature

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