



## 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 that would require Competitive Bids and Requests for Proposals. The Department is requesting to enter into an agreement with Luhdorff and Scalmanini Consulting Engineers, Inc. (LSCE) for the transition of the County's Groundwater Sustainability Plan (GSP) for Fresno County Management Area A & B, a portion of the Delta-Mendota Subbasin, into one single GSP for the entire subbasin. The State is recommending the development of one single GSP for the entire subbasin before they adopt the GSP. The San Luis and Delta Mendota Water Authority will make available one contractor to combine all of the GSPs. .
2. Identify the selected vendor and contact person; include the address, phone number and e-mail address for each.  
 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.  
 The agreement will be for a maximum of \$299,840 in compensation for a term of 3 years wit the option to extend for 2 additional 1 year terms if needed.
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 provided services to Fresno County for a variety of tasks that includes: GSP Monitoring network data collection for Groundwater elevation/storage, Groundwater Quality, Subsidence, Interconnected surface waters, Groundwater extractions, Surface water supplies and total water usage. LCSE has also previously developed a Data Management System that includes maintenance and updates to support the preparation of GSP annual reports for the Delta-Mendota Subbasin. Additionally, LSCE has supported efforts to coordinate with other agencies including Federal, State and local agencies within the area to adress gaps in existing monitoring networks. LSCE is unique in their knowledge and understanding of Fresno County's Management Area A and B when compared to other potential vendors. The Delta-Mendota Subbasin GSP's were previously identified to be inadequate by the Department of Water Resources (DWR) and is requiring that the deficinencies be addressed within 180 days, which is why LSCE's familiarity with what needs to be addressed in accordance with GSP regulations and in a timely manner makes them uniquely qualified to support Fresno County's plan completion for Subbasin. LSCE will provide technical support in the effort to address the identified deficiencies and continue with GSP implementation in the FCMA that will be led by EKI.
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.  
 Department staff does not possess the specific expertise and resources to successfully transition the County's GSP for Management Area A & B into one single GSP for the entire subbasin. For this reason, efforts will be led by EKI and LSCE will provide technical review/assistance for GSP development representing the interests of Fresno County and beneficial users in the FCMA. LSCE drafted and submitted a GSP on behalf of Fresno County to represent Fresno County Management area A & B of the Delta-Mendota Subbasin. Fresno County Management area A & B accounts for approximately 30,000 acres of approximately 1,000,000 acres of the entire Delta-Mendota Subbasin.
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.

LSCE is uniquely qualified to complete the GSP based on the extensive groundwater collection and methodologies that have already been developed for the Delta-Mendota Subbasin area. LSCE is uniquely qualified and capable to transition the County's GSP into one GSP for the entire subbasin. If the County solicits bids for the same work and tight timeline by other potential companies, the time and resources spent on LSCE to obtain the same data would be lost. LSCE possesses the knowledge and data necessary to be provided to the San Luis and Delta Mendota Water Authority's contractor EKI for successful GSP adoption.

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Requested By:

Title

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

stwhite 2/21/2024 5:15:45 PM

[\[✕ Sign\]](#) Double click!

Department Head Signature

mvilanova 2/22/2024 2:31:15 PM

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Purchasing Manager Signature