



Board Agenda Item 43

DATE: May 19, 2026

TO: Board of Supervisors

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

SUBJECT: First Amendment to Agreement No. 24-030 with Tetra Tech BAS, Inc.

RECOMMENDED ACTION(S):

Approve and authorize Chairman to execute First Amendment to Agreement No. 24-030 with Tetra Tech BAS, Inc. for required operation and maintenance services of the Landfill Gas Collection and Control System at the American Avenue Disposal Site, effective upon execution with no change in term of February 1, 2024 through January 31, 2027, and increasing the maximum compensation by \$400,000 to a total of \$1,502,680.

Approval of the recommended action will not result in any additional Net County Cost, which authorizes execution of a First Amendment with Tetra Tech BAS, Inc. (TTBAS) to continue operating and maintaining the Landfill Gas Collection and Control System (LFGCCS) at the American Avenue Disposal Site (AADS). The agreement includes a total fee of \$1,205,157 for the original three-year term, with up to \$297,523 in additional cost if the County elects to extend the contract for two optional one-year renewal periods. This item relates to a facility located in District 1.

ALTERNATIVE ACTION(S):

There is no viable alternative action. If the recommended action is not approved, AADS will be unable to comply with the regulatory requirements of San Joaquin Valley Air Pollution Control District (SJVAPCD) Rule 4311 or perform necessary Extra Services, which may result in excess surface emissions and subsurface migration of landfill gas. Such non-compliance would expose the County to fines of up to \$10,000 per day for violations of regulatory requirements and would negatively impact public health and safety.

FISCAL IMPACT:

There is no Net County Cost associated with the recommended action. The maximum agreement amount of \$1,502,680 will be fully offset by fees collected at the disposal site. Sufficient appropriations and estimated revenues are included in the Department of Public Works and Planning - Resources Org 9026 FY 2025-26 Adopted Budget and will be requested in subsequent budget years for the duration of the contract term.

DISCUSSION:

LFGCCS at AADS was constructed in 2003. Federal and State regulations require continuous maintenance, monitoring, and reporting activities to ensure proper operation of landfill gas control systems. These mandated tasks require specialized equipment, technical expertise, and certified instrumentation that County staff do not possess. As a result, the County contracts with a qualified firm to perform the operation and maintenance of the LFGCCS.

On January 9, 2024, the Board approved an agreement with TTBAS to provide operation and maintenance services for the LFGCCS at AADS. The agreement established a maximum compensation amount of \$727,680 for Basic Services and \$375,000 for Extra Services over a five-year period.

On February 10, 2026, your Board approved the termination of Revenue Agreement No. 22-166 with Toro Energy of California AA, LLC (Toro). With the termination of this agreement, the County is now responsible for implementing alternative compliance measures required under the SJVAPCD Rule 4311. These compliance activities include submitting an Authority to Construct (ATC) application for an Ultra-Low NOx flare and constructing said flare once the ATC is issued. These activities would not have been required had the conditions under the revenue agreement with Toro been fulfilled.

To meet these regulatory obligations and address unanticipated system needs, an increase in funding for Extra Services is required. The proposed \$400,000 increase will raise the Extra Services allocation from \$375,000 to \$775,000. This additional funding will allow TTBAS to perform work necessary to maintain compliance with SJVAPCD requirements, respond to regulatory directives, and complete unforeseen system repairs that arise during operations.

Approval of the recommended action will ensure continued compliance with Federal, State, and local air quality regulations and support the safe and effective operation of the LFGCCS at AADS.

REFERENCE MATERIAL:

BAI #54, February 10, 2026

BAI #44, January 9, 2024

ATTACHMENTS INCLUDED AND/OR ON FILE:

On file with Clerk - First Amendment to Agreement with Tetra Tech BAS, Inc.

CAO ANALYST:

Maria Valencia