



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: October 21, 2014

TO: Mayor and Councilmembers

FROM: Engineering Division, Public Works Department

SUBJECT: Introduction Of Ordinance To Amend Municipal Code Section 5.52.160 And Increase In Design Support Services For Recommissioning The Charles E. Meyer Desalination Facility

RECOMMENDATION: That Council:

A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending the Municipal Code By Amending Section 4.52.160 Pertaining to Public Works Projects; and

B. Authorize the Public Works Director to amend and increase a City Professional Services Contract, subject to approval as to form by the City Attorney, with McCabe and Company, Inc., in an amount not to exceed \$75,000, bringing the total amount of the contract to \$165,000, for support services related to the City's existing Coastal Development Permit for the Desalination Plant.

DISCUSSION:

Amendment to Municipal Code Section 4.52.160:

On September 23, 2014, Council discussed and considered a range of procurement methods that might be appropriate for design, construction and operation of the reactivation of the Charles E. Meyer Desalination Facility. As discussed by the Council, Santa Barbara Charter section 519 provides that certain water-related projects may be exempted from the typical design-bid-build procurement method when an alternate procurement method is approved by an affirmative vote of a majority of the total members of the City Council. The City Council determined that an alternate procurement method was appropriate for reactivation of the desalination facility for a variety of reasons, including the need for an expedited schedule, a potential for monetary savings and the operational requirements of the facility. The Council adopted Resolution No. 14-067 directing staff to prepare an enabling ordinance that establishes a process to be followed when, in Council's determination, an alternative procurement method may be appropriate, as in the case of reactivation of the desalination facility.

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October 21, 2014

Page 2

Staff recommends amending Santa Barbara Municipal Code section 4.52.160 to add provisions allowing for the design-build-operate procurement method in appropriate circumstances. The amendment to the Municipal Code would require that in those limited situations when an alternate procurement method is appropriate, Council would proceed by adoption of a resolution (as occurred in this case) that identifies the method of procurement, the reasons why the recommended alternate method is justified, the solicitation process to be used and the criteria for determining contract award.

Much progress has been made to date toward issuance of the design-build-operate contract as directed by City Council. Staff has issued the Statement of Qualifications and the panel is evaluating the responses received. The shortlisted proposers will be invited to submit proposal based on the Request for Proposals which will be issued November 10. Proposals are due from proposers at the end of January 2015.

Professional Services Contract with McCabe and Company, Inc.:

On May 6, 2014, Council approved preliminary design services for recommissioning the Charles E. Meyer Desalination Facility. As part of that action, Council approved a Professional Services Contract with McCabe and Company, Inc. for services related to working with the Coastal Commission to clarify the permitting requirements for reactivating the desalination plant in an amount not to exceed \$90,000.

The City has had good success in moving the permitting process forward. The Coastal Commission hearing for the project is expected in January, 2015. At the time the contract was negotiated with McCabe and Company, Inc. it was anticipated that services would be required through October, 2014. With the extended time to fulfill the Coastal Commission requirements and the potential for delays in scheduling of the hearing, Staff recommends that Council authorize the Public Works Director to amend the current contract with McCabe and Company to extend through April, 2015.

BUDGET/FINANCIAL INFORMATION:

If the recommendation is approved, the total professional services contract expenditure authority will be increased to \$165,000.

There are sufficient appropriated funds in the Water Drought, Desalination Facility Fund to fund the additional costs.

PREPARED BY: Joshua Haggmark, Acting Water Resources Manager/LS/mh

SUBMITTED BY: Rebecca J. Bjork, Public Works Director

APPROVED BY: City Administrator's Office