



ACTION ITEM

Amendment of a Contract with Stantec Consulting Services, Inc. for Support for the Ecosystem Amendment to the Delta Plan and Delta Levees Investment Strategy

Summary: The Executive Officer requests authority to amend Contract No. 1461 with Stantec Consulting Services, Inc. (Stantec), by increasing the contract budget by up to an additional \$960,000, for a total of \$6,010,000. These additional resources will be used to support the Ecosystem Amendment to the Delta Plan, updates to technical analyses supporting the Delta Levees Investment Strategy, and project management over the length of the contract that expires on March 31, 2021.

Requested Action

Authorize the Executive Officer to amend Contract No. 1461 with Stantec, by increasing the contract budget by up to an additional \$960,000 for continued support related to the Ecosystem Amendment to the Delta Plan, updates to technical analyses supporting the Delta Levees Investment Strategy, and project management of the contract for coordination, reporting, and accountability.

The Executive Officer has delegated authority up to \$500,000 to enter into contracts and interagency agreements on the Council's behalf. Because this contract exceeds that amount, the proposed contract amendment requires Council approval.

Background

In January 2016, Council staff initiated a competitive bidding process for consultant services to support Delta Plan amendments and implementation consistent with applicable law and Council procedures. Following an evaluation and negotiation process, Council staff recommended Stantec, Inc. (formally MWH Americas, Inc.) as the selected contractor in April 2016. At the May 2016 Council meeting, the Council approved a contract (Contract No. 1461) with Stantec, Inc. for consultant services.

Since the inception of the initial contract, there have been seven subsequent amendments to the master contract.

- Amendment 1 (October 2016) – Added resumes and adjusted staff classifications.
- Amendment 2 (January 2017) – Included name change from MWH Americas, Inc. to Stantec Consulting Services, Inc., added resumes and adjusted staff classifications.
- Amendment 3 (February 2017) – Amended rates amended and removed staff classifications.
- Amendment 4 (June 2017) – Added scope for the Delta Plan Amendments Program Environmental Impact Report, refined Delta Plan Performance

Measures, the Delta Plan Ecosystem Amendment, and rulemaking activities and increased contract budget from \$2,450,000 to \$4,450,000.

- Amendment 5 (September 2017) – Amended scope of work, extended term of agreement to June 30, 2019.
- Amendment 6 (June 2018) – Added scope for rulemaking activities and preparation of the Delta Plan Five-Year Review, increased contract budget from \$4,450,000 to \$5,050,000, and extended term of agreement to December 31, 2019.
- Amendment 7 (November 2019) – Extended term of agreement to March 31, 2021.

At this time, Council staff has identified the following project needs that require an amendment to this contract.

California Environmental Quality Act (CEQA) Support for Delta Plan Chapter 4 Amendment

Council staff has identified a need for additional CEQA support for the Ecosystem Amendment. The environmental documentation for the Ecosystem Amendment will need to conform to CEQA (Public Resources Code section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations (Cal. Code of Regs.), and title 14, section 15000, et seq.). A task order for CEQA documentation under the Stantec contract was initially approved, but it was an estimate developed under earlier assumptions without the context of the policies, recommendations, and performance measures now identified in the preliminary draft of the Ecosystem Amendment. Furthermore, recently implemented document accessibility guidelines require additional work beyond that anticipated in the original contract in order to post the Ecosystem Amendment CEQA documentation on the Council's website. For these reasons, additional resources are required to complete this task.

Delta Levees Investment Strategy – Decision Support Tool (DLIS-DST) Update

The risk maps produced by the Delta Levee Investment Strategy-Decision Support Tool (DLIS-DST) to inform decision making for RR P1 are based on Delta levee and island floor elevation data from 2007, which was the best available information at the time the DLIS-DST was developed. The Department of Water Resources (DWR) recently contracted for updated elevation imaging of the Delta and Suisun Marsh describing 2017 baseline conditions. This updated imaging, using a technology called Light Detection and Ranging (or LiDAR), provides updated information about the heights of levees and island floors. The 2017 LiDAR imaging presents new information that could impact the estimation of risks to State interests in the Delta that would justify updating the DLIS-DST prior to completing the rulemaking for Policy RR P1 and applying the policy to covered actions. The Council requires consultant assistance to update the DLIS-DST, and additional resources are required to complete this task.

Contract Amendment

A substantial amount of work has been performed and executed under the existing Stantec contract, including: development of the Conveyance, Storage System, and Operation of Both (CSO) Amendment; preparation of a program environmental impact report (EIR) to support the 2018 Delta Plan Amendments; rulemaking for Delta Plan Policy G P1(b)(2); and support for the 5-Year Review of the Delta Plan. Additionally, ongoing tasks under the existing contract include support for the Ecosystem Amendment and associated CEQA documentation and rulemaking for Delta Plan Policy RR P1.

The proposed contract amendment would support the following activities:¹

1. Services to supplement development of a CEQA document (Program Environmental Impact Report (Program EIR)) to support the Delta Plan Ecosystem Amendment, including formatting documents to meet applicable accessibility requirements.
 - a. Prepare an administrative draft Program EIR and public Draft Program EIR.
 - b. Catalog and review comments on the public Draft Program EIR.
 - c. Prepare a Final Program EIR.
 - d. Develop the CEQA administrative record.

2. Services to support the DLIS-DST Update.
 - a. Review, organize, and assess LiDAR data.
 - b. Update Delta levee fragility curves.
 - c. Coordinate stakeholder review of updated data.
 - d. Finalize Delta levee fragility curves.
 - e. Update the DLIS-DST and evaluate potential changes to DLIS island and tract priorities.

3. Project management services.
 - a. Develop monthly reporting on task and budget status as well as project scheduling.
 - b. Facilitate team collaboration via SharePoint infrastructure for file management and administrative record development.

Upon approval, two separate task order amendments and a new proposed task order to support the activities described above will be executed.

¹ For ongoing activities related to the Ecosystem Amendment CEQA document and project management services, the proposed contract amendment includes adjustments to labor categories and a 5% annual escalation of billing rates per terms of the contract.

Fiscal Information

Funds for these amendments will be provided from unobligated FY 19-20 (approximately \$675,000) and FY 20-21 (approximately \$285,000) Council funds (for an approximate total of \$960,000) in the following manner.

Task Order	FY 19-20	FY 20-21	Total
CEQA Support for Delta Plan Chapter 4 Amendment <i>(Existing Task Order 06)</i>	\$364,650	\$196,350	\$561,000
Services to Support the DLIS-DST Update <i>(Proposed Task Order 09)</i>	\$257,700	\$60,300	\$318,000
Project Management of the Master Contract Tasks <i>(Existing Task Order 02)</i>	\$52,650	\$28,350	\$81,000
Total to Augment Master Contract	\$675,000	\$285,000	\$960,000

With this proposed amendment, the total amount of the contract over the term of the contract would be up to \$6,010,000.

List of Attachments

None

Contact

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