



## MEMORANDUM

TO: SLDMWA Board of Directors, Alternates

FROM: Scott Petersen, P.E. Water Policy Director

DATE: March 5, 2020

RE: Authorization to Execute Single Source Consultant Services Agreement and Task Order with Provost & Pritchard Consulting Group for IRWM, SGMA, and Miscellaneous Engineering Support

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### BACKGROUND

The Water Authority, in addition to providing direct staff support of a variety of projects, also provides support to member agencies in pursuing various activities covered under Activity Agreements. Through the Westside-San Joaquin IRWM Activity Agreement, the Water Authority, as the regional water management group (RWMG) for the Westside-San Joaquin Integrated Regional Water Management (IRWM) Region, is responsible for updating the IRWM plan for the Region, coordinating disadvantaged community involvement, preparing relevant grant applications, administration of grants, assisting with implementation of Regional projects or programs under the IRWM plan, coordinating the preceding activities among entities and programs in the region, and managing and achieving stated objectives. Through the Northern and Central Delta-Mendota Region SGMA Services Activity Agreements, the Water Authority provides additional support to member agencies in achieving compliance with SGMA. The Water Authority has used outside support to help meet these various demands throughout the time it has been providing support under these various Activity Agreements.

### ISSUE FOR DECISION

Whether the Board of Directors should adopt a resolution adopting the justification for single source procurement for technical services to provide IRWM, SGMA, and miscellaneous engineering support and authorize execution of a Consultant Services Agreement and Task Order with Provost & Pritchard Consulting Group, Inc.

### RECOMMENDATION

Staff recommends adoption of the proposed resolution.

Memo to SLDMWA Board of Directors  
March 5, 2020

## **ANALYSIS**

From August 2019 to present, Claire Howard has been working through Provost & Pritchard Consulting Group to provide general administrative assistance for various IRWM and SGMA activities and to provide support for Water Authority-specific activities such as the Water Authority's Warren Act program. During this time, Ms. Howard has provided assistance by coordinating meetings, tracking budgets and schedules, performing invoice review, and coordination support for various SGMA and IRWM projects.

The Fiscal Year 2021 budget approved by the Board of Directors on February 6, 2020 included funds in the IRWM and SGMA Activity Agreements, as well as in the O&M Budget, which were intended to fund staff support of the activities currently performed by Ms. Howard. Adopting a sole source justification and authorizing execution of the consultant services agreement and task order with Provost & Pritchard Consulting Group, Inc. will allow continuation of these services, which are necessary to ensure adequate support is available for the IRWM, SGMA, and O&M activities for Fiscal Year 2021. Therefore, it makes sense to retain Provost & Pritchard to provide the support, which is necessary to coordinate meetings, track budgets and schedules, and provide coordination support for various project and activities that is not available from current SLDMWA Staff. The single source justification for retaining Provost & Pritchard is included as an attachment to the proposed Board Resolution.

## **BUDGET**

Funds to cover the Provost & Pritchard Task Order for Fiscal Year 2021 (approximately \$140,000) were included across the IRWM, SGMA, and O&M Budget funds.

**SAN LUIS & DELTA-MENDOTA WATER AUTHORITY**

**RESOLUTION NO. 2020-\_\_\_**

**RESOLUTION ADOPTING JUSTIFICATION FOR SINGLE SOURCE  
PROCUREMENT FOR PROFESSIONAL SERVICES TO PROVIDE IRWM, SGMA,  
AND MISCELLANEOUS ENGINEERING SUPPORT, AUTHORIZING EXECUTION  
OF AGREEMENT WITH PROVOST & PRITCHARD CONSULTING GROUP, INC.,  
AND AUTHORIZING RELATED ACTIONS**

**WHEREAS**, Article 6 of the Amended and Restated Joint Exercise of Powers Agreement for the San Luis & Delta-Mendota Water Authority (“Water Authority”), together with the Administration Agreement between the Water Authority and each of its members, allows for the Water Authority to enter into Activity Agreements between and among the Water Authority and any of its members or other entities to provide for undertaking and sharing costs and benefits of any authorized activity of the Authority that complies with the provisions of the Joint Powers Agreement and Administration Agreement.

**WHEREAS**, the Water Authority executed the Westside-San Joaquin Integrated Regional Water Management Activity Agreement (“IRWM Activity Agreement”) on April 22, 2019, and pursuant to that Activity Agreement, provides administrative and technical resources and services to assist in various activities.

**WHEREAS**, the Water Authority and certain members executed the Northern Delta-Mendota Region Sustainable Groundwater Management Act (“SGMA”) Services Activity Agreement (“Northern SGMA Services Activity Agreement”), made effective as of February 24, 2017, that certain First Amendment, made effective as of April 30, 2017, and that certain Second Amendment, made effective as of October 16, 2018, and pursuant to that amended Northern SGMA Services Activity Agreement, provides administrative and technical resources and services to assist in various activities.

**WHEREAS**, the Water Authority and certain members executed the Central Delta-Mendota Region Sustainable Groundwater Management Act Services Activity Agreement (“Central SGMA Services Activity Agreement”), made effective as of February 15, 2017, that certain First Amendment, made effective as of November 16, 2017, that certain Second Amendment, made effective as of November 1, 2018, and that certain Third Amendment, for which the Water Authority Board of Directors (“Board”) authorized execution on February 6, 2020. And, pursuant to that amended Central SGMA Services Activity Agreement, provides administrative and technical resources and services to assist in various activities.

**WHEREAS**, during the Water Authority’s Fiscal Year 2020, the Water Authority determined that outside professional support was necessary to satisfy the Water Authority’s obligations under the IRWM Activity Agreement, Northern SGMA Services Activity Agreement, and Central SGMA Services Activity Agreement, and following the review of requested proposals, executed a Consultant Services Agreement with Provost & Pritchard Consulting Group, Inc. (“PROVOST & PRITCHARD”) to provide dedicated staff support.

**WHEREAS**, the Water Authority desires to execute an agreement (“Task Order”) for Professional Services for consulting services for IRWM, SGMA, and miscellaneous engineering support (“Professional Services”) for Fiscal Year 2021, which continues certain services provided in Fiscal Year 2020 and adds additional services.

**WHEREAS**, the cost of the anticipated Professional Services is estimated to be approximately ONE HUNDRED FORTY THOUSAND AND 00/100ths DOLLARS (\$140,000.00) during the Water Authority's Fiscal Year 2021.

**WHEREAS**, the cost for these Professional Services is included in the Water Authority's approved Fiscal Year 2021 IRWM Activity Agreement Budget, Northern SGMA Services Activity Agreement Budget, Central SGMA Services Activity Agreement Budget, and O&M Budget.

**WHEREAS**, Article III of Resolution 2009-317, adopted December 10, 2009, requires that a single source justification be adopted by the Board of Directors under circumstances when a request for proposal is sought from a single contractor under circumstances that might otherwise require competitive bidding under said Resolution.

**WHEREAS**, after evaluation, Water Authority staff has determined that PROVOST & PRITCHARD has demonstrated the qualifications and competence for the Professional Services required.

**WHEREAS**, Water Authority staff recommends that PROVOST & PRITCHARD be selected as a single source contractor for the Professional Services described above.

**WHEREAS**, Water Authority staff has presented to the Board of Directors of the Water Authority (the "Board") its justification for use of PROVOST & PRITCHARD, a copy of which is attached hereto as Attachment 1 and by this reference incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED, AS FOLLOWS, THAT:**

Section 1. The facts stated in the recitals above are true and correct, and the Board so finds and determines.

Section 2. The single source justification for selecting PROVOST & PRITCHARD, attached hereto as Attachment 1, is hereby adopted.

Section 3. The Executive Director or his delegee, for and on behalf of the Water Authority, is hereby authorized and directed to negotiate and execute an agreement with PROVOST & PRITCHARD for Professional Services on substantially the terms discussed with the Board, and any prior action of the Executive Director or his delegee in furtherance of such execution is hereby confirmed and ratified.

Section 4. The Executive Director or his delegee is further authorized to take such additional actions, including entering into additional and amendatory contracts with PROVOST & PRITCHARD, as may be required or reasonably necessary or convenient to comply with this Resolution.

**PASSED, APPROVED AND ADOPTED** this 5th day of March, 2020, by the Board of Directors of the San Luis & Delta-Mendota Water Authority.

\_\_\_\_\_, Chairman  
San Luis & Delta-Mendota Water Authority

Attest:

\_\_\_\_\_  
Federico Barajas, Secretary

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I hereby certify that the foregoing Resolution No. 2020-\_\_\_ was duly and regularly adopted by the Board of Directors of the San Luis & Delta-Mendota Water Authority at the meeting thereof held on the 5th day of March, 2020.

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Federico Barajas, Secretary

## ATTACHMENT 1

### Provost & Pritchard Engineering Group, Inc.

### Technical Services – Single Source Justification

#### **ACTION REQUESTED:**

The San Luis & Delta–Mendota Water Authority’s (“Water Authority”) policy governing Purchases of Supplies, Equipment and Services (“Resolution No. 2009-317”) for Single Source Procedures requires a written justification be submitted to and adopted by a majority vote of the Water Authority Board of Directors. Article III of Resolution 2009-317 sets forth four bases for sole source contracting. They are:

1. Unsolicited Proposal
2. Continuation
3. Legislative Intent
4. Unique Qualifications

Staff is submitting this written justification and is seeking approval for a Single Source Procurement for consulting services for IRWM, SGMA, and miscellaneous engineering support (“Professional Services”). The request is associated with execution of an agreement (“Task Order”) associated with the expenditure of up to approximately \$140,000 for the Water Authority’s Fiscal Year 2021.

#### **NEED FOR THIS CONTRACT:**

This agreement is needed to authorize staff support necessary to satisfy the Water Authority’s obligations under the IRWM Activity Agreement, Northern SGMA Services Activity Agreement, and Central SGMA Services Activity Agreement, and to provide additional support to the Water Authority’s O&M activities.

#### **QUALIFICATIONS:**

Provost & Pritchard Consulting Group, Inc. (“Provost & Pritchard”) has over 50 years providing engineering services in the San Joaquin Valley. Provost & Pritchard provide a variety of services including:

- SGMA compliance
- Water resources mater planning
- Geographic information service (GIS)
- Conveyance, distribution and drainage design

The Provost & Pritchard team is uniquely qualified to provide consulting services for IRWM, SMGA, and miscellaneous engineering support given their years of experience in the San Joaquin Valley, and diverse staff. Provost & Pritchard Consulting Group has nine office locations in California and nearly 190 employees providing support for a variety of water and environmental programs.

Provost & Pritchard has been working with the Water Authority since 2015, and has been involved in supporting IRWM, SGMA programs, as well as miscellaneous engineering projects. We have

an excellent working relationship with Provost & Pritchard and have been utilizing the services of their staff for these programs with outstanding results. The proposed Task Order for Fiscal Year 2021 would allow a continuation of these services.

**CONCLUSION AND RECOMMENDATION:**

Provost & Pritchard has the knowledge and experience and have demonstrated competence in professional services to provide IRWM, SGMA, and miscellaneous engineering support associated with the IRWM and SGMA Activity Agreements and various O&M projects. Staff recommends the Board authorize the Executive Director to utilize Provost & Pritchard for such professional services work.