

Memorandum

Date: May 16, 2019
To: Board of Directors
From: Kellyx Nelson
Re: Notice of Amendment to Contract with Amah Mutsun Land Trust for the Quiroste Valley Cultural Preserve Vegetation Management Project

In June 2018, the Board of Directors approved a contract with Amah Mutsun Land Trust (AMLT) to conduct vegetation management at Quiroste Valley Cultural Preserve in Año Nuevo State Park (*Exhibit A*) to preserve and restore biological and cultural resources within Quiroste Valley. The RCD subsequently contracted with AMLT to conduct vegetation management. Work completed includes over 4,000 hours of vegetation management within Douglas fir forest, coastal prairie, and along an access road. The current contract is scheduled to expire June 2019.

The RCD has secured additional funds from California State Parks to continue the work through 2021. This memorandum is a notification that the RCD is amending the current contract with AMLT to extend the final date through June 30, 2021 and increase the budget an additional \$247, 252. With the budget increase, the current contract budget of \$177, 175 will increase to \$424,427.

The amendment will include work by AMLT for two years of administration, implementation of vegetation management; invasive weed control; seed collection, propagation and planting; participating in prescribed or pile burning; cultural surveys, monitoring and expertise; attending trainings; spike camp set-up; tools and equipment.

Exhibit A. June 14, 2018 Request to Sole Source Amah Mutsun Land Trust for the Quiroste Valley Cultural Preserve Vegetation Management Project



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Memorandum

Date: June 14, 2018
To: Board of Directors
From: Kellyx Nelson
Re: Request to Sole Source to Amah Mutsun Land Trust for the Quiroste Valley Cultural Preserve Vegetation Management Project

RCD Staff recommends to sole source to **Amah Mutsun Land Trust** (AMLT) for vegetation management of the phase I area at Quiroste Valley Cultural Preserve in Año Nuevo State Park. This vegetation management is the first step of a long-term management plan to preserve and restore biological and cultural resources within Quiroste Valley.

Quiroste Valley Cultural Preserve (QVCP) is located within Año Nuevo State Park in San Mateo County, 13 miles south of the town of Pescadero, CA. The entire preserve encompasses 224 acres of coastal prairie, coastal scrub, riparian, and mixed evergreen forest. The valley represents a culturally significant area for the local region. There are multiple indigenous cultural resources, including archeological sites and historical features within the valley. Historically, Native Cultural Indians have been part of the landscape and vegetation management from 1000 CE up to European contact. Since its acquisition in the 1980's, anthropogenic and natural disturbance has stopped within the valley, allowing woody vegetation, mostly Douglas fir (*Pseudotsuga menziesii*), to out compete biodiverse, open grasslands. A total of 115 acres is planned for vegetation management as part of the 5-year management plan. Work from 2018 to 2019 will cover vegetation management within Phase I. Work done within the valley will help preserve and restore biodiverse grasslands and prepare the valley for longer-term biological and cultural management.

The *Public Contract Bidding, Vendor and Professional Consultant Selection, and Purchasing Policy* adopted by this Board of Directors on March 20, 2014 (Appendix A) requires solicitation of formal advertised bids for expenditures exceeding \$50,000. The policy allows exceptions to

standard purchasing procedures in some circumstances, including when “services are of a unique type, are of a proprietary nature, or are otherwise of such a required and specific design or construction, or are specifically necessary for purposes of maintaining cost effective system consistency, so as to be available from only one source.” Staff believes that the work proposed to be sole sourced to AMLT meets each and all of these criteria. The procurement policy further states, “The basis for the sole source recommendation shall be documented in writing and approved, in advance, by the Board for purchases exceeding \$50,000.”

Major goals for this project include (1) restoring the landscape to conditions similar to pre-European colonization through removal of woody vegetation to promote grassland health, (2) consulting with local Native California Indians to establish resource management practices, protection of culturally significant sites and features, interpretation of local history, (3) allowing Native Californian Indian practices, ceremonies, special events, interpretive activities of indigenous history within the valley as part of the intent of the cultural preserve classification.

The AMLT is associated with the Amah Mutsun Tribal Band, a descendant community of indigenous people local to the San Mateo, Santa Cruz and Monterey Counties. The AMLT has been involved in partnership with the State Parks at QVCP since 2007. AMLT has collaborated with State Parks on scientific and historical research, and on identifying natural and cultural resources within QVCP to inform the biological resource restoration, including cultural management.

The RCD recommends sole sourcing to AMLT due to (1) AMLT’s unique services, and (2) specificity of the project’s goals. Specifically, AMLT:

- has historical, recent, and cultural knowledge of QVCP;
- indigenous involvement in vegetation management is part of the goals of project;
- AMLT’s unique ability to consult on indigenous historical interpretation, consultation of culturally significant sites and features;
- has a long-term partnership with State Parks;
- is involved in other cultural and vegetation management elsewhere in the San Mateo-Santa Cruz County area;
- has experience with project partners and aware of considerations for project, familiarity with stakeholders, permits;

The amount of the sole source contract is for 2018-2019 to implement vegetation management within QVCP is budgeted for \$177,175.00. This amount is majorly for crew labor, tools, and equipment.

Appendix A: Procurement Policy

San Mateo County Resource Conservation District

PUBLIC CONTRACT BIDDING, VENDOR AND PROFESSIONAL CONSULTANT SELECTION, AND PURCHASING POLICY

Adopted

March 20, 2014

The purpose of this policy is to ensure that the District obtains quality services, supplies, material and labor at the lowest possible cost, and to provide a uniform method for procurement of services and supplies. In addition, through proper documentation, conformance to this Policy will enable the District's constituents to know that their public funds are being spent responsibly, and potential vendors and contractors to know that they are being treated equitably.

I. PURCHASING AUTHORITY

There are three levels of authority for purchases: Board Approval, Executive Director Approval and Executive Director Delegated Approval. The maximum purchasing authority amounts refer to the total price of an order, including tax and/or shipping, which may include more than one item and also includes change orders and contract amendments. As used in this Policy, the term “purchasing” refers collectively to contracting or procurement of services, supplies, material or labor.

A. Board Approval for Purchases In Excess of \$50,000

If the cost for furnishing services, supplies, materials, labor, or other valuable consideration to the District will exceed Fifty Thousand Dollars (\$50,000), approval from the Board of Directors is required prior to entering into the contract.

Contracts which have been approved by the Board shall be signed by the Executive Director, or in the Executive Director's absence, his or her designee, unless the Board has directed that the President sign on behalf of the District.

B. Executive Director Approval for Purchases Not Exceeding \$50,000

The Executive Director may obtain bids without advertisement or published notice inviting bids and may authorize and execute contracts for payment for services, supplies, material, labor, or other valuable consideration for any purpose, including the new construction of any building, structure, or improvement, in an amount not exceeding \$50,000.

II. SOLICITATION OF BIDS

A. Solicitation of Formal Advertised Bids for Expenditures Exceeding \$50,000

When any expenditure is expected to exceed \$50,000, the District shall invite bids a minimum of one week prior to the time of receiving bids. Distribution may include digital

distribution networks, the District web site, a general circulation newspaper, or other means deemed appropriate. This type of formal bidding process typically includes the issuance of written plans or specifications describing the goods or services to be provided and the receipt of written bids from the vendors involved. Solicitation of formal bids from a minimum of three vendors is required. As described in Section III.D below, selection of vendors may be based on a variety of criteria and may include but is not limited to the lowest cost bidder.

B. Expenditures Not Exceeding \$50,000

The District may invite bids for expenditures not expected to exceed \$50,000 at the discretion of the Executive Director or at the Request of the Board of Directors. Staff members shall obtain competitive cost information and consider qualifications of contractors providing services, whenever reasonably feasible, for any District purchase even though formal bids are not required for goods or services costing \$50,000 or less.

III. EXCEPTIONS TO STANDARD PURCHASING PROCEDURES

A. Emergency Conditions

An emergency is defined as the inability of the District to provide services, or a threat to public health, safety, or welfare, including, but not limited to, threatened damage to natural resources. In the case of an emergency requiring an immediate purchase, the Executive Director may authorize his or her designee to secure in the open market any services, supplies, material or labor required to respond to the emergency, regardless of the amount of the expenditure. The Executive Director shall, as soon as possible, provide a full written explanation of the circumstances to the Board for inclusion at a publicly noticed meeting.

In the case of a disaster or for civil defense, nothing contained in this Policy shall limit the authority of the Executive Director to make purchases and take such other emergency steps as are, or may be, authorized by the Board.

B. Limited Availability/Sole Source

Occasionally, necessary supplies, material, equipment, or services are of a unique type, are of a proprietary nature, or are otherwise of such a required and specific design or construction, or are specifically necessary for purposes of maintaining cost effective system consistency, so as to be available from only one source. After reasonable efforts to find alternative suppliers, the District may dispense with the requirement of competitive bids and recommend negotiating and making the purchase from the sole source. The basis for the sole source recommendation shall be documented in writing and approved, in advance, by the Board for purchases exceeding \$50,000.

C. Cooperative Purchasing

The District shall have the authority to join in cooperative purchasing agreements with other public agencies to purchase goods or services at a price established by that agency through

a competitive bidding process. The Executive Director may authorize and execute such cooperative purchasing agreements.

The formal competitive bidding procedures of Section II.A. for purchases exceeding \$50,000 are not required when the other public agency has secured a price through a formal, advertised competitive bidding process. Board approval is required prior to purchase.

D. Professional Services

Professional consultant services are of a technical and professional nature, and, due to the nature of the services to be provided, do not readily fall within the “low bid” competitive bidding process. In addition, State law requires that selection of professional consultants in the categories of architects, landscape architects, engineers, surveyors, construction managers, and environmental consulting be made on the basis of demonstrated competence and the professional qualifications necessary for the satisfactory performance of the required services. Professional consultants should be individually selected for a specific project or problem with the objective of selecting the most qualified consultant at a price that is fair and reasonable. Professional services agreements shall not be split into smaller units, nor shall contract amendments be used, for the purpose of circumvention of this Policy.

1. Selection Procedures for Professional Services in Excess of \$50,000

When the cost for professional services is expected to be in excess of \$50,000, the District shall prepare a Request for Qualifications (RFQ) outlining the professional’s qualifications, relevant experience, staffing and support and hourly rates as a basis for negotiating a contract or a Request for Proposal (RFP) outlining the terms, conditions and specifications of the services required by the District. A minimum of three (3) qualified firms or individuals shall be invited to submit proposals.

District staff and/or District directors and/or partners selected by District staff will review the proposals received, will select the most qualified firms for interviews, and will rank the consultants based upon appropriate criteria developed for the project or required services. These criteria will be included in the RFQ or RFP.

2. Renewal of Contracts with Professional Consultants

The District may, at its sole discretion, and after following required consultant selection procedures, enter into consultant agreements which contain provisions authorizing their extension or renewal. However, recommendations to extend or renew an existing contract with a professional consultant should include an annual written evaluation of the work performed by the consultant as well as a determination that the fees being charged are comparable to similar services offered by other consultants at the time of renewal or extension. If the total amount of the original and renewed contract in any one fiscal year does not exceed \$50,000, the Executive Director may execute the agreement. If the total amount exceeds \$50,000, the request must be approved by the Board.

3. Conflict of Law

These procedures are not applicable where superseded by local, state or federal law, where the terms of grant funding provide for the use of other consultant selection procedures, or where the District is obligated to select consultants through the use of different procedures, such as due to the requirements of an insurance or self-insurance program.

4. Special Circumstances

These procedures are not applicable when three (3) qualified firms or individuals are unavailable, or if it is appropriate and in the best interest of the District under the specific circumstances of the project at issue, to limit the number of consultants solicited. The basis for such action shall be documented in writing and approved by the Executive Director. When Board approval is required, the documented basis for such action shall be included in the report to the Board and publicly noticed at the next meeting of the Board.

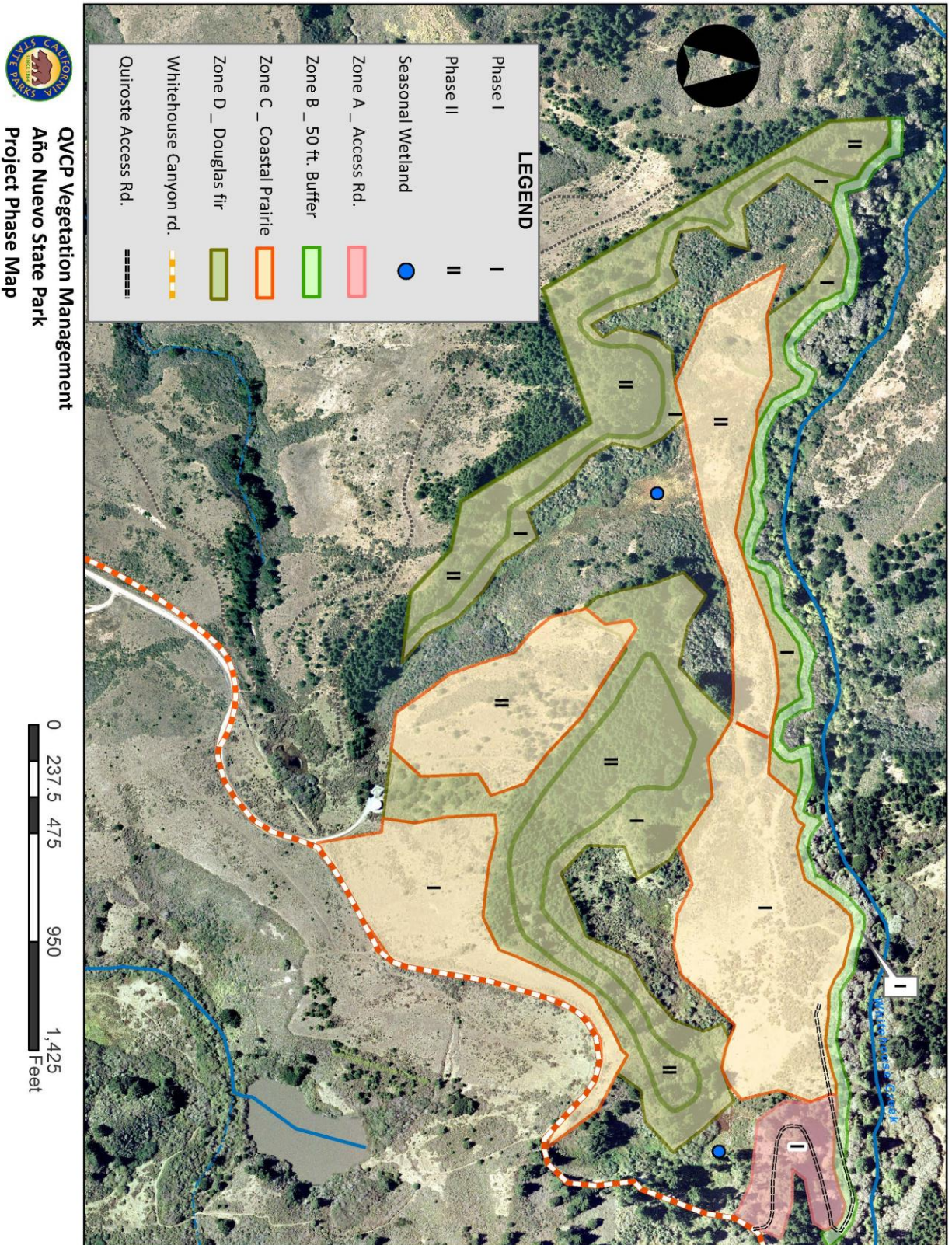
E. Open Purchase Orders for Routine and Repetitive Supplies and Services

Open purchase orders may be entered into with vendors who are expected to supply routine services, supplies, materials or labor to the District on a regular basis throughout the fiscal year. Open purchase orders shall be closed at the conclusion of each fiscal year. Vendors of repetitive supplies and services shall be selected through the competitive bidding procedures set out in Section II, based upon the anticipated or budgeted cumulative cost of the supply or service. Multi-year contracts can be let only when appropriate and necessary to secure the best pricing, best service, or assure continuity of service. An annual review of the services and prices provided shall be documented by District staff to assure that the vendor is meeting the District's needs and expectations and remains at a competitive price. Whenever feasible, multi-year contracts for service or supplies shall provide that the option to renew or extend the contract is at the District's sole discretion.

IV CONFLICT OF INTEREST

No District employee or official shall be financially interested, directly or indirectly, in any purchase, contract, sale, or transaction to which the District is a party and which comes before said official or employee for recommendation or action. Any purchase, contract, sale, or transaction in which any employee or official is or becomes financially interested shall become void at the election of the District. No employee or official shall realize any personal gain from any purchase, contract, sale, or transaction involving the District.

Site Map



Site Photos



1. Overview of QVCP. Note woody vegetation encroaching into grassland valley floor.



2. View of woody vegetation from valley floor. Plans are to retain islands of 25-33% shrub vegetation to maintain a scrub-grassland mosaic important to SFGS and CRLF.