



Topic: **Authority Board Agenda Item 2-1.6**

2020 August 26

Subject: **Task Order for Professional Services (ICF Jones and Stokes, Inc.)**

Requested Action:

Consider approval of a recommendation to the Sites Project Authority and approve ICF Jones and Stokes, Inc's (ICF) (Permitting and Agreements) Amendment 2 Task Order No. 3.0 scope of work with a not to exceed contract authority of \$4,400,995 for the period of September 1, 2020 through December 31, 2021.

Detailed Description/Background:

On April 17, 2020 the Reservoir Committee approved a work plan for the Amendment 2 period of performance September 1, 2020 through December 31, 2021 which included Permitting and Agreements services. ICF has satisfactorily performed these services for the Authority since 2019. The below summary of the scope of services contained in the proposed ICF's Task Order No. 3 was negotiated and is recommended by the Authority Agents to achieve the required deliverables and milestones for Amendment 2.

The scope contains the following tasks:

- **Finalize Biological Assessment and Support Biological Opinion:** Prepare and finalize the Biological Assessment (BA) for the Project's compliance with the Federal Endangered Species Act and related statutes. Respond to additional analysis and information requests by U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Services' as they complete their Biological Opinions for the Project. (\$811,725)
- **Section 106 Programmatic Agreement:** Support the development of draft and final Programmatic Agreement to comply with Section 106 of the National Historic Preservation Act. This includes consultation with the Bureau of Reclamation, State Historic Preservation Office, Native American tribes, and other interested parties. (\$347,958)
- **ITP-2081 Permit - Construction Application:** Prepare a draft and final California Endangered Species Act 2081 Incidental Take Permit (ITP) application packet for consultation with California Department of Fish and Wildlife (CDFW) on construction of the Project. (\$297,586)
- **ITP-2081 Permit - Operations Application:** Prepare a draft and final California Endangered Species Act 2081 Incidental Take Permit (ITP) application packet for consultation with CDFW on operation of the Project. (\$377,297)

- **Clean Water Act 404 Packet:** Prepare a draft and final Individual Permit Application packet for submittal to the United States Army Corps of Engineers (USACE) to comply with Section 404 of the Clean Water Act. (\$496,327)
- **Clean Water Act 401 Permit Applications:** Prepare a draft and final Permit Application packet for submittal to the State Water Resources Control Board to comply with Section 401 of the Clean Water Act. (\$204,442)
- **Encroachment Permit/Section 408 Draft Packet:** Prepare a draft and final Encroachment Permit application packet for submittal to the Central Valley Flood Protection Board and draft and final 408 Permission packet for submittal to the USACE to comply with the Rivers and Harbor Act, Section 14 (USC Section 408). (\$254,200)
- **Aquatic Resources Mapping and Report/Focused Species Surveys:** Perform detailed landcover mapping and a delineation of aquatic resources that would be used for: 1) assessing project impacts to listed aquatic species; 2) delineating wetlands and waters of the United States and State of California; and, 3) project mitigation planning purposes. Limited funds are included for protocol level surveys if land access is available. (\$342,741)
- **Mitigation Plan/Adaptive Management Plan/Mitigation Measure Evaluation /Cost Estimate:** Develop a draft and final Mitigation Plan for the Project that would identify appropriate and acceptable onsite and offsite mitigation options based on the Project's anticipated impacts to listed species, waters of the United States and State of California, sensitive habitats, and sensitive vegetation. Develop a cost estimate for the implementation, operation and management of the proposed mitigation. A draft and final Adaptive Management Plan that would be incorporated into the Biological Assessment and State 2081 Incidental Take Permit applications would also be developed. (\$664,034)
- **Finalize Geotechnical Permits and Fieldwork:** Finalize geotechnical permits prepared during Phase 1b and provide biological and cultural monitoring during geotechnical drilling activities. (\$420,427)
- **Eagle Take Permit:** Provide and support the first phase of activities that would support permits under the Bald and Golden Eagle Protection Act. This includes the completion of a study plan to collect information necessary to accurately assess the potential impacts of the Project footprint on golden eagle nesting and foraging habitat loss and to coordinate with USFWS on the approach for the permit requirements. (\$50,308)
- **Project Management:** Provide management of the scope and budget for Amendment 2, including monitoring task budgets, reviewing labor and expense effort, and coordinating staffing requirements. This task also includes management of staff and subconsultants, as well as financial management and accounting support for this task order. (\$111,807)
- **Expenses:** Miscellaneous expenses. (\$22,144)

Prior Action:

February 21, 2020: Approved an amendment to ICF Jones and Stokes, Inc.'s Permitting and Agreements (ICF F) contract and task order scope of work, budget and period of performance.

January 17, 2020: Approved Amendment 1B Work Plan for the period of January 1, 2020 through August 31, 2020 as part of a no cost time extension to the then current Participation Agreement. The Amendment included summary-level descriptions of the deliverables with estimated Reservoir Committee budgets. Each deliverable budget was further defined in the document by the level of effort required to complete each deliverable by consultant for use in developing amended consultant task orders intended to be submitted for approval to the Reservoir Committee and Authority Board in February 2020.

December 19, 2019: Approved a recommendation to the Sites Project Authority to approve an amendment to ICF Jones and Stokes, Inc.'s (ICF) (Permitting and Agreements) contract period of performance by extending their task order from December 31, 2019 through June 30, 2020 with no change in their cost.

March 22, 2019: Approved a recommendation to the Sites Project Authority to approve both the consulting agreement with ICF Jones and Stokes, Inc. (ICF) for Service Area F – Permitting and Agreements and the Phase 2 (2019) task order and budget for services March 26, 2019 through December 31, 2019.

November 16, 2018: Approved a recommendation to the Sites Project Authority to accept the evaluation panel's selection of ICF for Service Area F – Permitting and Agreements.

August 16, 2018: Approved a recommendation to the Sites Project Authority the release of the Project Development Support Services RFQ-18-04.

Fiscal Impact/Funding Source:

Sufficient funds are Included in the revised Amendment 2 Work Plan. Consultant activity will be monitored closely to ensure quality, timely deliverables and to ensure a positive project cash balance is always maintained.

Staff Contact:

Joe Trapasso

Attachments:

None.