



County of San Mateo

Inter-Departmental Correspondence

Department: PLANNING AND BUILDING

File #: 19-822

Board Meeting Date: 8/6/2019

Special Notice / Hearing: None
Vote Required: Majority

To: Honorable Board of Supervisors
From: Steve Monowitz, Community Development Director
Subject: Agreement with Analytical Environmental Services, Inc.

RECOMMENDATION:

Adopt a resolution waiving the request for proposals process and authorizing an agreement with Analytical Environmental Services, Inc. for the provision of condition compliance and mitigation monitoring services for the term of August 6, 2019 to December 31, 2021, in an amount not to exceed \$140,000.

BACKGROUND:

In February 2016, the Board of Supervisors adopted a resolution approving permit application No.: PLN2002-00517, authorizing a 19-lot subdivision in unincorporated San Mateo Highlands, the Ascension Heights subdivision, and associated construction of 19 single-family homes. Following two unsuccessful court challenges, the Board's approval became effective in May 2018. Since that time the applicant and County staff have been working through conditions of approval to enable the applicant to begin construction of the project.

As a condition of project approval, the project applicant is required to "enter into a contract with the San Mateo County Planning and Building Department for all mitigation monitoring for this project. The fee shall be staff's cost, plus 10 percent required in the current Planning Service Fee Schedule. Planning staff may, at their discretion, contract these services to an independent contractor at cost, plus an additional 10 percent for contract administration." The proposed agreement with Analytical Environmental Services, Inc. (AES) will implement this condition of approval.

DISCUSSION:

The Board's approval of PLN2002-00517, included a condition authorizing the Community Development Director (Director) to enter into an agreement for mitigation and permit condition compliance monitoring, at cost plus 10 percent. Planning staff, after soliciting bids from several consulting firms, recommends that the Board of Supervisors authorize the contract with AES.

Staff is recommending that the Board of Supervisors waive the request for proposals process in this instance. AES has extensive knowledge of the Ascension Heights project, as the preparer of the draft

and final environmental impact report (FEIR) for the Ascension Heights Subdivision. The Board certified the FEIR in February of 2016. The adequacy of the FEIR was a substantial component of plaintiff's cause of action challenging the Board's decision. In 2017 and 2018 the California superior and appellate courts respectively found the FEIR was adequate and upheld the Board's project approval. AES is uniquely qualified to provide the necessary services, due to their familiarity with the project. Further, staff verified that AES offered a fair and reasonable price, which was lower than quotes solicited from other firms.

The proposed agreement with AES is for an amount not to exceed \$140,000. The term of the agreement would be from August 6, 2019 to December 31, 2021. AES will monitor compliance with the conditions of the project permit and environmental mitigation measures during construction of the project. AES will also provide community engagement services by receiving and responding to complaints.

The cost to the applicant will be \$154,000, including the required 10 percent to recover County staff's administrative costs. In the event that the applicant, San Mateo Real Estate, Inc., does not provide a deposit of \$154,000 to the County in advance of starting work, the Director will enter into an agreement with the applicant to establish a payment schedule that ensures all costs associated with the AES agreement are borne fully and timely by San Mateo County Real Estate, Inc. or their successor or assigns.

The resolution contains the County's standard provision allowing amendment by the department head of the County's fiscal obligations by a maximum of \$25,000 (in aggregate).

County Counsel has reviewed and approved the contract and resolution as to form.

The amendment contributes to the 2025 Shared Vision outcome of a Livable Community because the project will facilitate the construction of 19 single family homes built in compliance with County General Plan and Zoning policies, and will contribute to reducing the housing crisis impacting San Mateo County and the Bay Area.

PERFORMANCE MEASURE(S):

Measure	FY 2018-19 Actual	FY 2019-20 Projected	FY 2020-21 Projected	FY 2020-21 Projected
Percent Complete	0%	50%	90%	100%

FISCAL IMPACT:

This agreement will result in no net cost to the County. As required in permit PLN2002-00517 the applicant, San Mateo Real Estate, Inc. is responsible for the entire cost of compliance monitoring for the 19-lot Ascension Heights subdivision. In this case, the applicant will pay the County \$154,000 to cover the cost of the AES contract (\$140,000) which is the subject of this report and recommendation plus ten percent (\$14,000) to the County to cover its costs for administering the contract.

ATTACHMENT:

1. Contract, signed by AES Associates