

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF THE COUNTY OF SAN BERNARDINO  
AND RECORD OF ACTION**

February 11, 2020

**FROM**

**TERRI RAHHAL, Director, Land Use Services Department**

**SUBJECT**

Amendment to contract with PlaceWorks, Inc., for the Countywide Plan and Program Environmental Impact Report

**RECOMMENDATION(S)**

1. Approve **Amendment No. 4 to Contract No. 15-248** with PlaceWorks, Inc., to:
  - a. Increase the not to exceed amount by \$209,470, from \$5,640,000 to \$5,849,470, to expand the Scope of Work to address responses to the Program Environmental Impact Report and for additional work on the GIS data base and mapping and related administrative costs.
  - b. Extend the length of the contract for the total contract period of May 20, 2015, through October 20, 2021.
2. Authorize the Director of Land Use Services Department to approve non-substantive changes to the Scope of Work components, tasks line item budget amounts, and time table within the total contract amount approved by the Board of Supervisors, subject to County Counsel review.
3. Direct the Director of Land Use Services to transmit all amendment documents to the Clerk of the Board within 30 days of execution.

(Presenter: Terri Rahhal, Land Use Services Director, 387-4431)

**COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES**

**Promote the Countywide Vision.**

**Improve County Government Operations.**

**Ensure Development of a Well-Planned, Balanced, and Sustainable County.**

**Pursue County Goals and Objectives by Working with Other Agencies.**

**FINANCIAL IMPACT**

Approval of this amendment will not result in the use of additional Discretionary General Funding (Net County Cost). The amendment increases the contract not-to-exceed amount by \$209,470, from \$5,640,000 to \$5,849,470. The County General Fund Reserve balance established for the Countywide Plan project is currently at \$1,017,441. Sufficient appropriation has been included in the Land Use Services Department (LUS) Planning 2019-20 budget to cover the additional scope of work and contract amendment. Costs related upcoming phases of the Countywide Plan will be included in future recommended budgets

**BACKGROUND INFORMATION**

On May 19, 2015 (Item No. 37), the Board of Supervisors (Board) approved Contract No. 15-248 with PlaceWorks, Inc. (PlaceWorks) in an amount not to exceed \$5,000,000, (\$4,800,000

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for contracted services plus \$200,000 for contingency) for the preparation of the San Bernardino County Web-Based Countywide Plan and corresponding Program Environmental Impact Report (EIR). A comprehensive update of the County's General Plan was included in the scope of services for this contract.

On October 6, 2015 (Item No. 35), the Board approved Amendment No. 1 with PlaceWorks to increase the not-to-exceed amount by \$410,000, from \$5,000,000 to \$5,410,000, expanding the Scope of Work to include public outreach and communication services and technical support for the Countywide Plan and Community Plans Continuum.

On April 18, 2017 (Item No. 26), the Board approved Amendment No. 2 with PlaceWorks to increase the not-to-exceed amount by \$230,000, from \$5,410,000, to \$5,640,000, expanding the Scope of Work to comply with SB 379 (Natural Hazards) and SB 1000 (Environmental Justice).

On April 16, 2019 (Item No. 25), the Board approved Amendment No. 3 to extend the term of the contract length through October 20, 2020.

The Countywide Plan (Policy Plan) and Community Action Guides have been available for public review since May 2019. County staff and PlaceWorks worked cooperatively to create an extremely comprehensive Draft EIR that thoroughly analyzes potential impacts of the Policy Plan and informs the public, stakeholders and agencies about its implications for the environment and the public. The Draft EIR for the Policy Plan was released for public comment on June 17, 2019. The County received 19 written responses to the Draft EIR. The three main topics that warrant special attention in order to respond to the commenters include: biological resources, fire hazards, and environmental justice. To respond to these comments, additional time and work are necessary to complete technical studies, update web-maps, revise the Draft Policy Plan, reengage with the public and meet with state agencies.

On August 15, 2019, the County received a 15-page comment letter regarding the Policy Plan and Draft EIR from the Attorney General's Office (AG), State of California Department of Justice. The AG is recommending substantial changes to the Policy Plan, additional analysis of environmental factors and extensive outreach and engagement efforts for environmental justice communities. On December 12, 2019, County staff and PlaceWorks met with representatives of the AG to discuss the issues raised in the AG's comment letter. In response, County staff and PlaceWorks are recommending the completion of additional technical studies and community engagement to finalize the EIR and address the concerns identified by the AG. Additional time and resources are required to complete this work.

The proposed Amendment will allow the County and PlaceWorks to complete the additional work and minimize the risk of legal challenges to the Countywide Plan and Program EIR.

**PROCUREMENT**

The approval of Contract No. 15-248 with PlaceWorks to prepare the Countywide Plan resulted from an extensive and competitive procurement process, as described in the materials submitted with the original contract on May 19, 2015 (Item No. 37). The services required to conduct additional environmental analysis and public review are recommended to comply with the California Environmental Quality Act and to protect the County from legal challenge. PlaceWorks and its sub-consultants have the expertise and capacity to perform the required

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tasks and are uniquely qualified to continue the required work on the Countywide Plan and Program EIR. Therefore, this contract amendment is proposed to maintain the integrity of the Countywide Plan and to provide adequate time to complete the necessary work. Purchasing concurs with extending the existing agreement with PlaceWorks to address AG's concerns and completion of the Environmental Impact Report.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Jason Searles, Deputy County Counsel, 387-5455) on January 21, 2020; Purchasing (Michael Candelaria, Buyer III, 387-0321) on January 21, 2020; Finance (Kathleen Gonzalez, Administrative Analyst III, 387-5412) on January 22, 2020; County Finance and Administration (Robert Saldana, Deputy Executive Officer, 387-5423) on January 22, 2020.

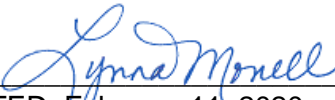
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Record of Action of the Board of Supervisors  
County of San Bernardino

**APPROVED (CONSENT CALENDAR)**

Moved: Robert A. Lovingood Seconded: Josie Gonzales  
Ayes: Robert A. Lovingood, Janice Rutherford, Dawn Rowe, Curt Hagman, Josie Gonzales

Lynna Monell, CLERK OF THE BOARD

BY  \_\_\_\_\_  
DATED: February 11, 2020



cc: LUSD- Watkins w/agree  
Contractor- C/O LUSD w/agree  
File- w/agree  
la 02/20/2020