

CITY OF SANTA ROSA
BOARD OF PUBLIC UTILITIES

TO: CHAIR AND BOARD MEMBERS
FROM: ROBERT C. WILSON LABORATORY SUPERVISOR
SUBJECT: WAIVER OF COMPETITIVE BIDDING PROCESS AND SOLE
SOURCE OF PROFESSIONAL SERVICES AGREEMENT WITH
ENTHALPY ANALYTICAL FOR ANALYTICAL SERVICES

AGENDA ACTION: MOTION

RECOMMENDATION

It is recommended by Santa Rosa Water that the Board of Public Utilities, by motion, waive competitive bidding and authorize the award of a sole source Professional Services Agreement with Enthalpy Analytical for analytical services in an amount not to exceed \$150,000.

EXECUTIVE SUMMARY

The Laguna Environmental Laboratory (LEL) may need support from third party laboratories to handle increased workload, meet tight project deadlines, or access specialized testing capabilities that are not available in the LEL. This contract can be crucial when the LEL faces capacity limitations due to staff shortages, equipment constraints, or an unexpected surge in sample volume. Additionally, contracting with outside labs provide expertise in niche or highly technical analyses that require advanced instrumentation or methodologies not available at the LEL, ensuring that the LEL can maintain high standards of quality and compliance without delays. The LEL does not have the instruments or the certifications to test for Per- and polyfluoroalkyl substances (PFAS) compounds and this contract is necessary to meet the testing requirements in analyzing PFAS compounds. Enthalpy is the only local laboratory that has the instruments and certifications to analyze samples for PFAS compounds.

BACKGROUND

The LEL supports the Water Department in ensuring compliance with analytical regulatory requirements for various environmental media, including potable water, wastewater, and solid waste streams. These testing services are crucial in ensuring public health, environmental protection, and adherence to federal, state, and local regulations.

WAIVER OF COMPETITIVE BIDDING PROCESS AND SOLE SOURCE OF
PROFESSIONAL SERVICES AGREEMENT WITH ENTHALPY ANALYTICAL FOR
ANALYTICAL SERVICES
PAGE 2 OF 3

The LEL's testing scope covers a wide range of parameters that assess the quality and safety of water and waste streams, including the analysis of chemical contaminants and microbial pathogens. These tests are essential for the Water Department to monitor and manage water quality, wastewater treatment, and biosolid reuse practices. As part of its service offerings, LEL faces certain challenges that may affect the availability and timeliness of test results. One key challenge arises from needing to analyze samples for constituents that we do not have the instruments to analyze or the certifications through the State Water Resources Control Board's Environmental Laboratory Accreditation Program (ELAP).

The LEL is accredited for a broad range of tests within the scope of the program but there are certain specialized or emerging tests that may fall outside the current ELAP accreditation. This could be due to analytical techniques for contaminants of emerging concern, evolving environmental regulations, or highly specific parameters that require additional certifications or methodologies beyond LEL's current scope. These limitations could potentially impact LEL's ability to always offer a comprehensive testing suite or may require referral to third-party laboratories that hold the necessary ELAP certifications for specialized analyses.

PFAS are a group of chemicals that have been developed and integrated into many aspects of our society including carpets, makeup, body lotions, clothing, firefighting foam, industrial surfactants, and many other products. These chemicals have been found to be hazardous to human health, resist breakdown and are not destroyed through the traditional wastewater treatment, and are found in all wastewater treatment plants that have been sampled. The LEL does not currently have the scientific instruments to detect PFAS chemicals therefore the LEL needs to be able to contract with a laboratory that does have these instruments and the ELAP certifications to conduct these tests.

PRIOR BOARD OF PUBLIC UTILITIES REVIEW

Not applicable.

ANALYSIS

Establishing a professional services agreement for analytical services can serve as part of a broader strategic partnership for supporting the analytical needs of the Water Department. Environmental laboratories often form networks with other labs to complement each other's capabilities and expand the range of services they can offer clients. These partnerships provide a one-stop solution for LEL clients as water department staff would bring samples to LEL and laboratory staff would work with our analytical partners to meet the project needs.

WAIVER OF COMPETITIVE BIDDING PROCESS AND SOLE SOURCE OF
PROFESSIONAL SERVICES AGREEMENT WITH ENTHALPY ANALYTICAL FOR
ANALYTICAL SERVICES
PAGE 3 OF 3

Enthalpy Analytical is a nationwide analytical testing laboratory and maintains a regional laboratory in El Dorado Hills, CA. They are required to meet the same analytical quality programs as LEL and follow methods as established by the US Environmental Protection Agency and Standard Methods of the Examination of Water and Wastewater. Enthalpy Analytical is the only local laboratory that can provide analytical services for PFAS and have processed over 30,000 PFAS samples in multiple matrices including drinking water, wastewater, soils, and biosolids. Establishing a professional services agreement with Enthalpy Analytical Laboratory allows LEL to enhance our analytical capabilities, manage costs, and maintain high service standards, all while staying compliant with regulatory needs. Consequently, this proposed purchase fits within the circumstances under which waiving competitive bidding provisions is appropriate. (City Code, § 3-08.100. subd.(D).)

FISCAL IMPACT

Funds for this expense are included in the Water Department adopted budget for fiscal year 2024/25 and will be included in the Water Department budget for future fiscal years..

ENVIRONMENTAL IMPACT

Pursuant to CEQA Guidelines Section 15378, the proposed action is not a “project” subject to the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. In the alternative, the proposed action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment. .

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Professional Services Agreement with Enthalpy Analytical

PRESENTER

Robert C. Wilson, Laboratory Supervisor