MINUTE ITEM
This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 2 to 0 at its 10-20-05 meeting.

CALENDAR ITEM
C36

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Statewide

10/20/05
Bid Log 2005-01
WP 5438; R05105, R05005

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A. Abeleda, D. Brown, J. Brown,

REQUEST DELEGATION FOR EXECUTIVE OFFICER TO SOLICIT PROPOSALS, NEGOTIATE FAIR AND REASONABLE PRICE, AWARD AND EXECUTE AGREEMENT FOR PREPARATION OF ENVIRONMENTAL DOCUMENTATION FOR THE PROPOSED CONSTRUCTION OF THREE NATURAL GAS PIPELINES LOCATED WITHIN THE SACRAMENTO/SAN JOAQUIN VALLEY, SACRAMENTO, YOLO, SAN JOAQUIN AND CONTRA COSTA COUNTIES, CALIFORNIA

PARTY:

California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento, CA 95825-8202

BACKGROUND:

The proposed project involves the construction and operation of three separate, natural gas pipelines by Pacific Gas & Electric Company.

- One 24" diameter high-pressure natural gas pipeline to be constructed from McDonald Island to Palm Tract, Crossing Empire Cut, Middle River, and Old River, San Joaquin and Contra Costa Counties. This line will result in an amendment to an existing CSLC lease for a redundant system within the Delta.
- One 20" natural gas pipeline crossing of the Sacramento River in Sacramento and Yolo Counties. This line will result in an amendment of an existing CSLC lease.
- One up to 24" in diameter natural gas pipeline crossing the Cosumnes and Mokelumne Rivers to replace an existing 16" pipeline in Sacramento County. This line will result in an amendment of an existing CSLC lease.

PROPOSED ACTIVITY:

The proposed pipeline routes will cross various waterways under the jurisdiction of the CSLC. Most of the crossings will utilize the horizontal directional drilling method of crossing underneath the waterway.

The Commission will act as Lead Agency under the California Environmental Quality Act and prepare an Environmental Impact Report for this project. A consultant will be selected to prepare the EIR document under the direction of Commission staff.

Consultant selection shall be conducted consistent with procedures as specified in CSLC Regulations and in the State Contracting Manual on the basis of demonstrated competence and qualifications for the types of services to be performed and at a fair and reasonable price. All costs shall be recovered from project applicant.

OTHER PERTINENT INFORMATION:

1. Pursuant to the Commission's delegation of authority and the State CEQA Guidelines [Title 14, California Code of Regulations, section 15060(c)(3)], the staff has determined that this activity is not subject to the provisions of the CEQA because it is not a "project" as defined by the CEQA and the State CEQA Guidelines.

   Authority: Public Resources Code section 21065 and Title 14, California

   Code of Regulations, sections 15060 (c)(3) and 15378.

2. Approval of this item by the Commission does not constitute approval of the proposed lease; it only authorizes consultant contracts for environmental review.

STATUTORY AND OTHER REFERENCES:

A. Public Resources Code Section 6106 (Delegation to execute written instruments)
B. State Contracts Manual Section 11.00 (A & E method)
C. Public Contract Code Section 6106
D. Government Code Section 4526
E. California Administrative Code Title 2 Article 13 Section 2980.0 - 2990.0

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THESE ACTIVITIES ARE EXEMPT FROM THE REQUIREMENTS OF CEQA PURSUANT TO 14 CAL CODE REGS. 15060(c)(3) BECAUSE THESE ACTIVITIES ARE NOT PROJECTS AS DEFINED BY PUBLIC RESOURCES CODE SECTION 21065 AND 14 CAL CODE REGS. 15378.

2. FIND THAT THE SELECTION OF CONSULTANTS UNDER THIS PROCESS DOES NOT AFFECT SMALL BUSINESSES AS DEFINED IN GOVERNMENT CODE SECTION 11342, SUB. (H), BECAUSE THEY WILL BE ACCORDED EQUAL OPPORTUNITY TO SUBMIT STATEMENTS OF QUALIFICATIONS AND PERFORMANCE DATA.

3. FIND THAT THE SELECTION OF CONSULTANTS UNDER THIS PROCESS FOR PROFESSIONAL SERVICES OF ARCHITECTURAL, LANDSCAPE ARCHITECTURAL, ENGINEERING, ENVIRONMENTAL, LAND SURVEYING OR CONSTRUCTION PROJECT MANAGEMENT SERVICES WILL BE CONSISTENT WITH PROCEDURES AND POLICIES ADOPTED BY THE COMMISSION AS SPECIFIED IN GOVERNMENT CODE SECTION 4526 AND TITLE 2, CALIFORNIA CODE OF REGULATIONS 2980 –2980.9.

4. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO SOLICIT PROPOSALS, NEGOTIATE FAIR AND REASONABLE PRICE, AWARD AND EXECUTE CONTRACTS FOR ENVIRONMENTAL DOCUMENTATION AND MITIGATION MONITORING IN ACCORDANCE WITH STATE POLICIES AND PROCEDURES.

5. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH PROJECT APPLICANT TO RECOVER COSTS INCURRED IN THE CONSIDERATION OF THIS PROJECT.