

STATE OF CALIFORNIA

AGREEMENT SUMMARY

STD 215 (Rev. 04/2020)

AGREEMENT NUMBER

4600013587

AMENDMENT NUMBER

☒ CHECK HERE IF ADDITIONAL PAGES ARE ATTACHED

1. CONTRACTOR'S NAME Patriot Environmental Services, Inc.		2. FEDERAL I.D. NUMBER 95-3894635
3. AGENCY TRANSMITTING AGREEMENT Department of Water Resources	4. DIVISION, BUREAU, OR OTHER UNIT Division of Operations and Maintenance	5. AGENCY BILLING CODE 081000
6a. CONTRACT ANALYST NAME Felix Bedolla	6b. EMAIL felix.bedolla@water.ca.gov	6c. PHONE NUMBER (916) 653-9625
7. HAS YOUR AGENCY CONTRACTED FOR THESE SERVICES BEFORE? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (If Yes, enter prior Contractor Name and Agreement Number) PRIOR CONTRACTOR NAME _____ PRIOR AGREEMENT NUMBER _____		

8. BRIEF DESCRIPTION OF SERVICES

Patriot Environmental Services (Contractor) to provide as-needed industrial hygiene services.

9. AGREEMENT OUTLINE (Include reason for Agreement: Identify specific problem, administrative requirement, program need or other circumstances making the Agreement necessary; include special or unusual terms and conditions.)

Contractor to provide as-needed industrial hygiene services including cleaning, disinfecting, sanitizing, quality control testing, quality control sampling and quality control oversight to the Department of Water Resources (DWR) locations throughout the state of California. These services are critical due to the special equipment and sanitizing methods they use to protect the reliability of the pumping and power plants mechanical and electrical equipment; and are being procured due to COVID19 under the Executive Department of State of California, Proclamation of a State of Emergency, the Governor of California, which was issued on March 4, 2020.

10. PAYMENT TERMS (More than one may apply)

- ☐ Monthly Flat Rate ☐ Quarterly ☐ One-Time Payment ☐ Progress Payment
☒ Itemized Invoice ☐ Withhold _____ % ☐ Advanced Payment Not To Exceed _____ %
☐ Reimbursement / Revenue _____ or _____ %
☒ Other (Explain) No more often than monthly, in arrears. Progress payments are at the discretion of the Contract Manager.

11. PROJECTED EXPENDITURES

FUND TITLE	ITEM	FISCAL YEAR	CHAPTER	STATUTE	PROJECTED EXPENDITURES
WRRF	3860-902-0691	19/20	186/86	Sec. 135 WC	25,000,000
WRRF	3860-902-0691	20/21	186/86	Sec. 135 WC	25,000,000

OBJECT CODE

Various cost object to be used when invoicing. GL#9032641806

AGREEMENT TOTAL

\$50,000,000.00

OPTIONAL USE

Contract Manager: Armando Ortiz
Phone Number: (916) 653-54321

AMOUNT ENCUMBERED BY THIS DOCUMENT

\$50,000,000.00

PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT

\$50,000,000.00

I certify upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.

TOTAL AMOUNT ENCUMBERED TO DATE

\$50,000,000.00

ACCOUNTING OFFICER'S SIGNATURE

See Attached Funding Strip

ACCOUNTING OFFICER'S NAME (Print or Type)

DATE SIGNED

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12. AGREEMENT

AGREEMENT	TERM FROM	TERM THROUGH	TOTAL COST OF THIS TRANSACTION	BID, SOLE SOURCE, EXEMPT
Original	05/01/2020	04/30/2021	50,000,000	Exempt NCB, Emergency Agreement
<input checked="" type="checkbox"/> Amendment 1				
TOTAL			50,000,000	

13. BIDDING METHOD USED

- ☐ Request for Proposal (RFP) (Attach justification if secondary method is used)
 ☐ Use of Master Service Agreement
☐ Invitation for Bid (IFB)
 ☒ Exempt from Bidding (Give authority for exempt status)
 ☐ Sole Source Contract (Attach STD. 821)
☒ Other (Explain) PCC 10295.6, 10340(b)(1), PCC 1102 and SCM 5.08.A.3. Power Related Contract, Emergency

Note: Proof of advertisement in the State Contracts Register or an approved form STD. 821, Contract Advertising Exemption Request, must be attached

14. SUMMARY OF BIDS (List of bidders, bid amount and small business status) (If an amendment, sole source, or exempt, leave blank)**15. IF AWARD OF AGREEMENT IS TO OTHER THAN THE LOWER BIDDER, EXPLAIN REASON(S) (If an amendment, sole source, or exempt, leave blank)****16. WHAT IS THE BASIS FOR DETERMINING THAT THE PRICE OR RATE IS REASONABLE?**

The rates are less than the rates for the same services provide by Safety Management Systems, LLC. Additionally, prevailing wages will not be required on this emergency contract, thus, the rates for this contract are significantly lower.

17a. JUSTIFICATION FOR CONTRACTING OUT (Check one)

- ☐ Contracting out is based on cost savings per Government Code 19130(a). The State Personnel Board has been so notified.
 ☒ Contracting out is justified based on Government Code 19130(b). When this box is checked, a completed JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60 must be attached to this document.
☐ Not Applicable (Interagency / Public Works / Other _____)

17b. EMPLOYEE BARGAINING UNIT NOTIFICATION

- ☒ By checking this box, I hereby certify compliance with Government Code section 19132(b)(1).

AUTHORIZED SIGNATURE

Jim Kennelly

SIGNER'S NAME (Print or Type)

Timothy Kennelly, Chief of EES

DATE SIGNED

5/11/2020

18. FOR AGREEMENTS IN EXCESS OF \$5,000: Has the letting of the agreement been reported to the Department of Fair Employment and Housing?

☐ No ☒ Yes ☐ N/A

19. HAVE CONFLICT OF INTEREST ISSUES BEEN IDENTIFIED AND RESOLVED AS REQUIRED BY THE STATE CONTRACT MANUAL SECTION 7.10?

☐ No ☒ Yes ☐ N/A

20. FOR CONSULTING AGREEMENTS: Did you review any contractor evaluations on file with the DGS Legal Office?

☐ None on file ☐ No ☐ Yes ☒ N/A

21. IS A SIGNED COPY OF THE FOLLOWING ON FILE AT YOUR AGENCY FOR THIS CONTRACTOR?

A. Contractor Certification Clauses

B. STD 204 Vendor Data Record

☐ No ☒ Yes ☐ N/A

☐ No ☒ Yes ☐ N/A

22. REQUIRED RESOLUTIONS ARE ATTACHED

☐ No ☐ Yes ☒ N/A

23. IS THIS A SMALL BUSINESS AND/OR A DISABLED VETERAN BUSINESS CERTIFIED BY DGS?

☒ No ☐ Yes

SB/DVBE Certification Number:

24. ARE DISABLED VETERANS BUSINESS ENTERPRISE GOALS REQUIRED? (If an amendment, explain changes if any)

☒ No (Explain below) ☐ Yes _____ % of Agreement

This contract is exempt from DVBE Program requirements under DAM Policy 8352.10(14) related to contracts for emergency services.

25. IS THIS AGREEMENT (WITH AMENDMENTS) FOR A PERIOD OF TIME LONGER THAN THREE YEARS?

☒ No ☐ Yes (If Yes, provide justification below)

I certify that all copies of the referenced Agreement will conform to the original agreement sent to the Department of General Services.

SIGNATURE

Jim Kennelly

NAME/TITLE (Print or Type)

Timothy Kennelly, Chief of EES

DATE SIGNED

5/11/2020

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JUSTIFICATION - CALIFORNIA CODE OF REGULATIONS, TITLE 2, SECTION 547.60

In the space provided below, the undersigned authorized state representative documents, with specificity and detailed factual information, the reasons why the contract satisfies one or more of the conditions set forth in Government Code section 19130(b). Please specify the applicable subsection. Attach extra pages if necessary.

Government Code 19130(b)(3)- The services contracted are not available within civil service, cannot be performed satisfactorily by civil service employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the civil service system.

The services are not available within civil service, cannot be performed satisfactorily by civil service employees, or are of such a highly specialized and technical nature that the necessary expert knowledge, experience, and ability is not available through the civil service system. Contractor has the required knowledge, experience, ability, specialized materials, cleaning processes, and disinfecting equipment necessary to provide these services. Civil service personnel do not possess the required knowledge, experience, ability, specialized materials, cleaning processes, and disinfecting equipment to provide these services. There are no civil service positions that can perform this work.

Government Code 19130(b)(10) - The services are of such an urgent, temporary, or occasional nature that the delay incumbent in their implementation under civil service would frustrate their very purpose.

The services are of such an urgent, temporary, or occasional nature that the delay incumbent in their implementation under civil service would frustrate their very purpose. The need for these services is urgent due to the current health and safety risk of COVID-19 contamination at DWR facilities without specialized Industrial Hygiene services to counteract the risk. The purpose of these services is to immediately prevent the contamination and spread of COVID-19, however, there are no civil services positions that can perform these services. The delay necessary in order to hire and equip civil service staff to perform these services would defeat the urgent nature and initial purpose of these services.

The undersigned represents that, based upon his or her personal knowledge, information or belief the above justification correctly reflects the reasons why the contract satisfies Government Code section 19130(b).

SIGNATURE <i>Jim Kennelly</i>	NAME/TITLE(Print or Type) Timothy Kennelly, Chief of EES	DATE SIGNED 5/11/2020	
PHONE NUMBER (916) 653-1328	STREET ADDRESS 1416 Ninth Street, Room 515		
EMAIL tim.kennelly@water.ca.gov	CITY Sacramento	STATE CA	ZIP 95814