

MINUTE ITEM

This Calendar Item No. C36 was approved as Minute Item No. 36 by the California State Lands Commission by a vote of 3 to 0 at its 1-30-02 meeting.

**CALENDAR ITEM
C36**

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01/30/02

Bid Log 2001-16

W25815, RA# 10701

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J. Brown, D. Brown, A. Cueva

**REQUEST AUTHORITY 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 A
PETROLEUM PRODUCTS PIPELINE EXTENDING FROM CONCORD, CONTRA
COSTA COUNTY TO WEST SACRAMENTO, 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 a 20-inch steel petroleum products pipeline extending 69 miles from the existing SFPP Concord station in Contra Costa County to the existing SFPP Sacramento station in the city of West Sacramento. This pipeline will replace an existing 40-year-old, 14-inch diameter petroleum products pipeline that will be cleaned and prepared for unspecified alternative uses other than for petroleum products. The proposed 20-inch pipeline would provide the needed capacity to meet the growing demand for gasoline, diesel and jet fuel to the Sacramento area.

PROPOSED ACTIVITY:

The proposed pipeline route will cross five 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 (EIR) for this project. A

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consultant will be selected to prepare the EIR document under the direction of Commission staff.

Consultant selection will 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 will be recovered from the project applicant.

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. 15061 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 CONSULTANT 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. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO SOLICIT PROPOSALS, NEGOTIATE FAIR AND REASONABLE PRICE, AWARD AND EXECUTE CONTRACT IN ACCORDANCE WITH STATE POLICIES AND PROCEDURES.
4. AUTHORIZE THE EXECUTIVE OFFICER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH PROJECT APPLICANT TO RECOVER ALL STATE COSTS INCURRED IN THE CONSIDERATION OF THIS PROJECT.