

BOARD MEETING DATE: May 5, 2017

AGENDA NO. 10

**PROPOSAL:** Appropriate Funds from the Undesignated Fund Balance and Authorize Amending Contract with Consulting Expert

**SYNOPSIS:** The Legal Office requires an expert to assist with matters before the Hearing Board regarding the Torrance refinery, developing refinery rules, testimony and presentations related to refineries and rules. Bastleford Engineering and Consultancy Ltd. currently has a \$50,000 contract with SCAQMD. This action is to appropriate \$110,000 from the Undesignated (Unassigned) Fund Balance to the Legal budget, Services and Supplies Major Object, Professional and Special Services account, and to authorize the Chairman or the Executive Officer to amend the contract in an amount not to exceed \$170,000. The additional \$10,000 will be funded with a budget transfer from the Planning, Rule Development and Area Sources Office.

**COMMITTEE:** Administrative, April 14, 2017. Less than a quorum was present; the Committee Members concurred that this item be approved by the Board.

**RECOMMENDED ACTIONS:**

1. Appropriate \$110,000 from the Undesignated (Unassigned) Fund Balance to Legal's FY 2016-17 Budget, Services and Supplies Major Object, Professional and Special Services account.
2. Authorize the Chairman or the Executive Officer, depending on the amount, to amend a contract with Bastleford Engineering and Consultancy Ltd. in an amount not to exceed \$170,000.

Wayne Nastri  
Executive Officer

**Background**

In December 2016, the SCAQMD entered into a contract with Bastleford Engineering and Consultancy Ltd. in the amount of \$50,000, to retain an expert witness on electrical reliability and refinery related issues in a matter before the Hearing Board regarding the Torrance refinery. The expert witness is Glyn Jenkins. More recently, staff has determined a need to retain an expert to assist with developing rules directed at refineries, and for testimony and presentations related to refineries. Fees and costs for this expert consultant through FY 2019-20 will not exceed \$170,000.

**Proposal**

Glyn Jenkins is the Managing Director of Bastleford Engineering and Consultancy Ltd. Mr. Jenkins will be the primary person at the firm who will be working on this matter. He has worked in the oil and gas sector for 17 years and has worked at oil refineries across the globe, including in the United States. He has experience in maintenance, engineering, design, operational and turnaround management at refineries and has held a number of senior corporate level positions. He specializes in electrical distribution engineering. Currently, he consults for various entities, including for the Defense Infrastructure Organization (part of the U.K. Ministry of Defense), an international joint venture for a refinery in Scotland, and for Rolls Royce (aerospace).

Mr. Jenkins received his Bachelor of Science degree with honors in Electrical and Electronic Engineering from Pembroke College and his Master of Science in Electrical Power Distribution from Newcastle University.

**Sole Source Justification**

SCAQMD's Procurement Policy, Section VIII B2, provides for a waiver of formal bid processes under certain circumstances based upon documentation justifying a sole-source award. The award to Bastleford Engineering and Consultancy Ltd. is justified pursuant to Procurement Policy Section VIII B2(d), other circumstances exist justifying a sole-source award, subdivision (4), level-of-effort expert consultation services, in view of the need for immediate significant work involving special expertise in refineries and electrical reliability as set forth above. The expert consultant's hourly rate is commensurate with the level of expertise and consistent with past Board-approved expenditures.

**Resource Impacts**

The total cost of this contract shall not exceed \$170,000. Sufficient funds will be available in Legal's FY 2016-17 Budget upon approval of this Board letter and the transfer from Planning, Rule Development and Area Sources.