

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 5/27/2008		Item Number: <u>C-6</u>	
AGENDA ITEM: Rescission of the award of contract to Hydrophix for completion of the “ <i>Culver City City-Wide Best Management Practices (BMP) Treatment Train</i> ” Project, Discussion Regarding a Revised Project Approach and Authorization to Issue a Request for Proposals for Professional Services Related to Proposition 50 Grant Plan and Report Development, Public Outreach and Education, Business Outreach and Dry-Weather Runoff Reduction Efforts, and Water Quality Monitoring.			
Contact Person/Dept.: Steven Finton		Phone Number: (310) 253-6406	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☐ Attachments: ☒	
Public Notification: Master E-Mail Notification List (05/21/08)			
Department Approval: Charles D. Herbertson 5/14/2008		City Attorney Approval: Carol Schwab (by H. Baker) (05/20/08)	
Fiscal Impact Review: Jeff Muir (by M. Noller) (05/21/08)		City Manager Approval: Jerry B. Fulwood (05/21/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council rescind authorization to award a contract to Hydrophix and authorize the issuance of a Request for Proposals for professional services related to Proposition 50 Grant Plan and Report Development, Public Outreach and Education and Water Quality Monitoring. <u>BACKGROUND:</u> On October 10, 2005 and September 25, 2006, City Council approved Resolution Nos 2005-R068 and 2006-R066 respectively accepting a Proposition 50 Grant for the “<i>Culver City City-wide BMP Treatment Train</i>” project. The grant consists of \$1,252,000 of reimbursable funds and requires \$313,200 soft match (provided in the form of City staff support). The project includes implementation of several treatment and source control BMPs City-wide to reduce urban run-off and storm water pollution. In detail, the project consists of the following elements: • Installation of 2 rain gardens (also known as bioretention cells) at City parks • Installation of downspout disconnection and cistern at a City park, • Installation of catch basin filter inserts in 672 catch basins citywide. • Installation of optimized irrigation systems at certain City parks			

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- Placement of additional trash and recycling receptacles at high trash generating locations such as fast food restaurants and convenience stores.
- Implementation of a dry weather runoff elimination program targeted at 500 businesses including the distribution of high-pressure, low-volume water brooms to help eliminate pollution associated with hosing down parking lots, driveways, and sidewalks.
- Water quality monitoring to assess the effectiveness of the BMPs implemented.
- Implementation of a public education and outreach program to raise public awareness and to strongly encourage behavioral changes that will reduce storm drain pollution.

Completion of this project will assist the City in complying with portions of the Total Maximum Daily Load (TMDL) storm water pollution regulations. The TMDL for trash requires full zero-trash compliance by September 30, 2013. Installation of the catch basin inserts would meet this requirement City-wide. Other elements of the project will also assist in TMDL compliance.

On August 13, 2007, City Council authorized the issuance of a request for proposals to complete all elements of the project except installation of irrigation controllers and trash and recycling receptacles through a design/build arrangement. On November 26, 2007, City Council awarded a design/build contract to Hydrophix. This award required a four/fifths vote due to variations from the formal bidding process. During the contract execution process, Hydrophix informed the City that it could not provide the performance and payment bonds required by the bid documents. Additionally, Hydrophix indicated that the catch basin inserts could not be furnished and installed for the price indicated in their bid. Ultimately, Hydrophix submitted the attached letter (Attachment 1) indicating that it wished to terminate contracting efforts on the project. Hydrophix was the only bidder and no bid bond was required or submitted with the bid.

DISCUSSION:

The project requires expertise from a wide variety of professional disciplines and construction trades. The August 13, 2007 RFP combined the tasks under a single design/build contract requiring bidders to include numerous subconsultants and subcontractors. Staff believes that the unusual complexity of the bid reduced bidder interest and yielded only the single bid from Hydrophix. In their effort to compile their complex bid, Hydrophix miscalculated a major cost component and ultimately declined to enter into the contract.

To avoid the complications experienced on the previous bidding effort, staff recommends issuing several smaller consultant/construction contracts to complete

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project tasks grouped by discipline or trade. This arrangement will simplify bidding and contracting efforts and fully comply with the City's bidding procedures. It is recommended that project tasks be assigned to 2 consultant contracts and 3 construction contracts as described in detail in the attached spreadsheet entitled "Breakdown of Project Tasks and Assignments" (Attachment 2) as summarized:

	Estimated Grant Cost	Local Match
<u>Consultant A</u> Proposition 50 Grant plan and report development, public outreach and education, business outreach and dry-weather runoff reduction efforts, and water quality monitoring.	\$300,000	
<u>Consultant B</u> Preparation of plans and specifications for construction of 2 rain gardens and a roof drain disconnect, cistern and irrigation system at City parks.	\$25,000	
<u>Construction Contract A</u> Installation of 672 catch basin inserts City-wide.	\$557,000	
<u>Construction Contract B</u> Construction of 2 rain gardens and a roof drain disconnect, cistern and irrigation system at City parks.	\$200,000	
<u>Construction Contract C</u> Furnishing and placement of 50 recycling receptacles and 45 trash receptacles.	\$100,000	
<u>City Staff</u> City staff will perform the remainder of project tasks not included in the above contracts. These tasks include certain administrative and design tasks, site selection, mapping, observations, grant reporting, sign installation and irrigation controller installation.	\$70,000	\$313,200

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Total	\$1,252,000	\$313,200
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Staff requests the City Council approve the issuance of a request for proposals (RFP) for Proposition 50 Grant plan and report development, public outreach and education, business outreach and dry-weather runoff reduction efforts, and water quality monitoring ("Consultant A"). The RFP requires the submittal of proposals by July 16, 2008. The award of contract is tentatively scheduled for City Council consideration in August 2008. Authorizations related to the remainder of consultant/construction contracts will be presented for Council consideration at a later date.

FISCAL ANALYSIS:

The fiscal year 2007-08 adopted Capital Improvement Budget includes \$1,252,000 in Proposition 50 grant funding for design and construction of various best management practices to reduce storm water pollution (P-497). The \$313,200 local match requirement is funded through the City's labor expenses in various Divisions for City staff working on the project.

ATTACHMENTS:

- 1) Letter from Hydrophix requesting contract termination.
- 2) Spread Sheet "Breakdown of Project Tasks and Assignments".
- 3) Request For Proposals - Proposition 50 Grant Plan and Report Development, Public Outreach and Education, Business Outreach and Dry-Weather Runoff Reduction Efforts and Water Quality Monitoring.

MOTION:

That the City Council:

- 1) Rescind City Council's authorization to award a contract to Hydrophix; and,
- 2) Authorize the issuance of a Request for Proposals for professional services related to Proposition 50 Grant Plan and Report Development, Public Outreach and Education and Water Quality Monitoring.