

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 11/26/07	Item Number: <u>PH-1</u>
AGENDA ITEM: Award a Contract to Hydrophix for the Design and Construction of the <i>Culver City Citywide BMP Treatment "Train" Project</i>	
Contact Persons/Dept.: Damian Skinner	Phone Number: (310) 253-6402
Fiscal Impact: Yes ☒ No ☐	General Fund: Yes ☐ No ☒
Public Hearing: ☒	Action Item: ☐ Attachments: ☒
Public Notification: Notice of Public Hearing published in the November 15 th and November 20 th editions of the Culver City News; Master Notification List (11/21/2007); Hydrophix via meeting 10/9/07.	
Department Approval: Charles D. Herbertson 11/15/2007	City Attorney Approval: Carol Schwab (by H. Iker) (11/20/07)
Fiscal Impact Review: Marlee Chang (by N. Kimball)(11/20/07)	City Manager Approval: Jerry B. Fulwood (11/21/2007)

RECOMMENDATION:

Staff recommends the City Council award a design/build construction contract to Hydrophix to design, install, implement, and monitor a series of innovative Best Management Practices (BMPs), that will effectively remove pollutants in urban runoff, including elimination of trash to La Ballona Creek through the City's storm drains. **(A 4/5th vote is required to award this contract.)**

BACKGROUND:

On October 10, 2005 and September 25, 2006, the City Council approved Resolution Nos. 2005-R068 and 2006-R066 (an amendment to Resolution No. 2005-R068), respectively accepting \$1,252,000 in reimbursable Proposition 50 grant funds from the State Water Resources Control Board for the Culver City Citywide Best Management Practice (BMP) Treatment "Train" Project (CIP project P-497). The phrase "BMP treatment train" in this project broadly refers to a combination of treatment and source control technologies to be implemented at various locations within the City for the purpose of reducing or treating urban runoff to remove pollutants.

Due to the nature of the services involved in this project, the number of qualified consulting firms was rather limited. Therefore, on August 13, 2007, the City Council approved a motion to release a request for proposals (RFP) for a professional turnkey project to implement the Culver City Citywide BMP Treatment "Train" Project, rather than follow its formal bidding procedures as permitted by the City's Charter.

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DISCUSSION:

Staff received one proposal from Hydrophix; a service provider firm which provides stormwater management services in design/fabrication, construction/installation, operation, and evaluation of BMPs. Hydrophix partnered with Brown and Caldwell, a full-service civil engineering company specializing in water resources, to complete the scope of work within the allotted time frame. Hydrophix is the lead consulting firm for this project.

The Design-Build proposal submitted by Hydrophix was complete and responsive.

Hydrophix demonstrated a clear understanding of the project scope. The format and presentation of material was well organized and defined in detail. The names and resumes of the proposed project manager, construction superintendents, and other specialist were presented in detail. Hydrophix also included the resumes of senior management.

Award of Contract:

The City's Charter provisions regarding public works contracts¹ give the Council the authority, *by a four-fifths vote*, to award a contract without complying with its bidding procedures, provided a public hearing is held on the award of the contract after notice has been given. The notice of the public hearing was published in the Culver City News on November 15 and November 21, 2007.

FISCAL ANALYSIS:

The fiscal year 2007-08 adopted Capital Improvement Budget includes \$1,252,000 in Prop 50 grant funding for design and construction of various best management practices devices to reduce storm water pollution (P-497).

The base bid proposal presented by Hydrophix is \$1,092,600, which is \$159,400 below the grant award. Staff will use the remaining funds to purchase and install rain sensing irrigation equipment and trash and recycling receptacles. Staff is confident that \$159,400 is sufficient to complete the City's portion of the project scope based on the cost estimates for irrigation equipment and trash and recycling receptacles. **Staff will return to the City Council in the case a contract award for these purchases is required by the City Code.**

Below is a summary of the proposed budget:

¹ Charter Section 2007 provides that the procedures for awarding public works contracts as set forth in the "old" Charter will remain in effect until such time as the City Council establishes, by ordinance, different procedures. Therefore, the current procedures are set forth in the "old" Charter Section 1304.

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Hydrophix Budget Proposal	Amount
Consulting	\$736,800
Operating Expenses (Lab and Analysis Costs, Printing, Interpretive Signs, Training and Presentation Materials, Catch Basin Inserts, Water Brooms, etc.)	\$312,800
Equipment (Cistern, Equipment Rental for Construction)	\$35,000
Travel	\$8,000
Total Budget	\$1,092,600

ATTACHMENTS:

1. Excerpt from Hydrophix proposal dated September 25, 2007

MOTIONS:

That the City Council:

1. Award a design/build contract to Hydrophix in the amount of \$1,092,600 to implement Culver City's stormwater Best Management Practice (BMP) Treatment "Train" Project (The award of a design/build contract requires a 4/5ths vote.);
2. Authorize the Public Works Director/City Engineer to increase the contract by an amount not to exceed 3%, if necessary, due to unforeseen conditions;
3. Authorize the City Attorney to review/prepare the appropriate documents; and authorize the City Manager to execute such documents on behalf of the City.