

Central Services
Joan Araujo, Director

Engineering Services
Anastasia Seims, Director

Roads & Transportation
Anitha Balan, Director

Water & Sanitation
Vacant, Director

Watershed Protection
Jeff Palmer, Director

October 29, 2024

Board of Ventura County Waterworks District No. 1
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009

Subject: Approve, and Ratify the Public Works Agency (PWA) Director's Execution of, an Emergency Contract with Sam Hill & Sons, Inc., in the Amount of \$65,000, Without Competitive Solicitation for Bids, for the Emergency Waterline Repair near Via Azalea in the City of Moorpark [Project No. 31388 Specification No. WW25-11 (E)] (Emergency Project); Find That the Agreement is Exempt from Solicitation and Competitive Bidding Requirements Due to Emergency; Find That the Emergency Project is Statutorily Exempt from the California Environmental Quality Act (CEQA); Authorize the PWA Director to Make Limited Amendments to the Agreement; Supervisorial District No 4. [RECOMMENDATION NO.1 REQUIRES A 4/5THS VOTE]

Recommendations:

1. Approve and ratify the Public Works Agency (PWA) Director's or designee's execution of an emergency contract with Sam Hill & Sons, Inc. (Contractor), in the amount of \$65,000, without competitive solicitation for bids, for the Emergency Waterline Repair near Via Azalea Project [Project No. 31388 Specification No. WW25-11 (E)] (Emergency Project). [THIS RECOMMENDATION REQUIRES A 4/5THS VOTE]
2. Find that the agreement with Sam Hill & Sons, Inc. is exempt from solicitation and competitive bidding requirements because the Emergency Project, including related public health and environmental impacts, did not permit delay and the agreement was necessary to respond to the emergency.



3. Find that the Emergency Project is statutorily exempt from California Environmental Quality Act (CEQA) as an emergency repair to public service facilities essential to the public health, safety, or welfare.
4. Authorize the PWA Director or designee to amend the agreement with Sam Hill & Sons, Inc. to make corrections, clarifications, and technical modifications to the agreement provided they are consistent with the purpose and scope of work of the agreement, do not result in additional costs to the County, do not result in the loss of any income to the County, and are reviewed and approved as to form by County Counsel.

Fiscal/Mandates Impact:

Mandatory: No
Source of Funding: Ventura County Waterworks District No.1
Funding Match Required: No
Impact on Other Department(s): None

Summary of Revenue and Total Costs:

		<u>FY 2024-25</u>		<u>FY 2025-26</u>
Revenue:	\$	0	\$	0
Costs:				
Direct	\$	65,000	\$	0
Indirect – Agency/Dept.				
Indirect – County CAP				
Total Costs	\$	65,000	\$	0
Net Costs	\$	65,000	\$	0
Recovered Indirect Costs	\$		\$	

Current Fiscal Year Budget Projections:

Current FY 2024-25 Budget Projection for Ventura County Waterworks No. 1 – Unit 4300				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$ 25,170,801	\$ 25,330,172	\$ 25,330,172	\$ 0
Revenue	\$ 22,741,000	\$ 22,741,000	\$ 22,741,000	\$ 0
Net Operating Gain/(Loss)	(\$2,429,801)	(\$2,589,172)	(\$2,589,172)	\$ 0



Sufficient appropriations and revenue are included in the FY 2024-25 recommended budget.

Discussion:

Recommendation Nos. 1 and 2. On September 27, 2024, an unexpected failure occurred in an 18" potable water mainline near Via Azalea in the City of Moorpark. The adjacent mobile home park experienced minor flooding on one of their roads as well as under a few mobile homes. Public Works Agency (PWA) staff uncovered the waterline and attempted to repair/patch the line, but it was unsuccessful due to the fact that the pipe leaked in several other adjacent locations once the patch repair was completed. It was determined that much of the pipe in the area is compromised due to extensive pipe corrosion.

This critical mainline supplies potable drinking water and fire protection to Ventura County Waterworks District No. 1 (District), serving as a primary source for filling multiple reservoirs and supplying one of our larger water zones. Fortunately, no customers have been out of water because the water system is looped and served from another direction. The pump station that helps provide this redundancy has been working overtime to help meet the needs of the customers. Staff moved quickly to hire a contractor (Sam Hill & Sons Inc) to Replace-In-Kind approximately 80 feet of 18" diameter ductile iron pipe to restore the looped system.

On September 27, 2024, Sam Hill & Sons Inc. mobilized on the project site to take immediate action to repair and mitigate further damages in the water line under an emergency contract awarded by the PWA Director. (Exhibit No. 3). The repair work included removal of 80 feet of damaged ductile iron pipe and reconstruction of the water line with new 18-inch ductile iron pipe which was supplied by PWA staff. Sam Hill & Sons completed the repairs on October 16, 2024.

In cases of emergency when repairs or replacements are necessary, the Public Contract Code allows public agencies to proceed with repairs and replacements at once without adopting plans or giving notice for bids to let contracts. (PCC § 22035, subd. (a).) To avoid the competitive bidding requirements in cases of emergency, the public agency's legislative body must, pursuant to a 4/5ths vote, find that the emergency will not permit a delay resulting from competitive solicitation for bids and that the action is necessary to respond to the emergency (PCC § 22050, subd. (a)(2).). The public agency's legislative body must then review the emergency action at its next regularly scheduled meeting, and at every regularly scheduled meeting thereafter until the action is terminated to determine, again by a 4/5ths vote, that there is a need to continue the action. (PCC § 22050, subd.



(c)(1).) This is the first feasible date to bring this item to your Board's attention after identifying the full scope of the emergency repair action.

PWA requests that your Board (i) find that the emergency created by the ruptured pipe and resultant water spill did not permit the delay that would have resulted from complying with normal solicitation and competitive bidding requirements, and that entering into a contract with Sam Hill & Sons, Inc. was necessary to respond to the emergency; and (ii) approve and ratify the PWA Director's execution of an emergency contract with Sam Hill & Sons, Inc. in the amount of \$65,000 for the Emergency Waterline Repair near Via Azalea Project [Project No. 31388 Specification No. WW25-11 (E)] (Emergency Project). (Exhibit No. 3.)

Recommendation No. 3. The Emergency Project, including the approval of the Sam Hill & Sons, Inc. agreement, is exempt from the requirements of the California Environmental Quality Act (CEQA) as an emergency repair project to publicly owned service facilities essential to public health, safety, and welfare. (Pub. Res. Code, § 21080(b)(2), 14 CCR § 15269(b).) Therefore, staff requests that your Board find that the Emergency Project is exempt from CEQA.

Recommendation No. 4. In order to quickly respond to changes needed to achieve the goals of the emergency action and the agreement with Sam Hill & Sons, Inc., staff also requests your Board's authorization for the PWA Director or designee to amend the agreement with Sam Hill & Sons, Inc. to make corrections, clarifications, and technical modifications provided they are consistent with the purpose and scope of work of the agreement, do not result in the loss of any income to the County, and are reviewed and approved as to form by County Counsel.

Strategic Plan:

This item contributes to the Board of Supervisors (Board's) 2024-2027 strategic priority to provide:

- I. Healthy, safe, and resilient communities through
 - 1. Providing equitable and timely access to quality healthcare, mental health, and public health services.
 - 2. Maintaining high-performing public safety services.
 - 3. Promoting community resilience and strengthen our ability to withstand and recover from disaster or adversity.

- III. Reliable infrastructure and sustainability through
 - 1. Maintaining and improve dependable public resources to serve the needs of our diverse communities.



This item has been reviewed by the County Executive Office, the Auditor-Controller's Office, and County Counsel.

If you have any questions concerning this item, please contact undersigned at (805) 654-2373.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Fleisch".

David Fleisch, P.E.
Assistant Director

Attachments:

Exhibit 1 – Vicinity Map

Exhibit 2 – Location Map

Exhibit 3 – Fully Executed Contract and Bonds

