

county of ventura



March 12, 2019

Board of Supervisors
County of Ventura
800 South Victoria Avenue
Ventura, California 93009

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Central Services
Joan Araujo, Director

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Transportation
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Michaela Brown, Director

Watershed Protection
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Subject: Receive and File Report by the Director of the Public Works Agency on the Award of an Emergency Contract without Competitive Solicitation for Bids for the Yerba Buena Road MP 2.38 Emergency Culvert Replacement Project; Find that the Project is Statutorily Exempt from the California Environmental Quality Act; Determine There is a Need to Continue the Project on an Emergency Basis; Project No. 50587, Specification No. RD19-09(E); Supervisorial District No. 2. (Recommendation No. 3 Requires 4/5ths Vote)

Recommendations:

1. Receive and file the report within this letter by the Director of the Public Works Agency (DPWA) on the award of an emergency contract to J & H Engineering General Contractors, Inc. (J&H) without competitive solicitation for bids for the Yerba Buena Road MP 2.38 Emergency Culvert Replacement project, Project No. 50587, Specification No. RD19-09(E). The cost for construction is estimated to be approximately \$260,000.
2. Find that the project is statutorily exempt from the California Environmental Quality Act (CEQA).
3. Determine pursuant to Public Contract Code section 22050(c)(2) that there is a need to continue the project on an emergency basis (requires 4/5ths vote).

Fiscal/Mandates Impact:

Mandatory:

Source of Funding:

Funding Match Required:

No ☒ Yes ☐ Cite Authority:

Road Fund

No



Impact on Other Department(s): None

Summary of Revenue and Total Costs	FY 2018-19	FY 2019-20
Revenue:	\$ 0	\$ 0
Costs:		
Direct	\$ 260,000	\$ 0
Indirect - Agency/Department	\$ 0	\$ 0
Indirect - CAP	\$ 0	\$ 0
Total Costs	\$ 260,000	\$ 0
Net Road Fund Costs Including Indirects	\$ 260,000	\$ 0
Recovered Indirect Cost (Dept. and County CAP)	\$ 0	\$ 0

Current 2018-19 Budget Projection for Road Fund - Unit 4081				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimated Savings/(Deficit)
Appropriations	\$ 14,825,000	\$ 15,336,982	\$ 15,336,982	\$ 0
Revenue	\$ 31,848,500	\$ 31,848,500	\$ 31,848,500	\$ 0
Net Cost	\$(17,023,500)	\$(16,511,518)	\$(16,511,518)	\$ 0

Sufficient appropriations are available in the FY 2018-19 Road Fund Adopted Budget.

Background:

On February 2, 2019, a sinkhole developed during a rain event at the intersection of Yerba Buena Road and Yellow Hill Road in the Yerba Buena area. A Ventura County Public Works Agency Transportation Department (PWATD) tractor loader was clearing the road from mud and debris at the time and fell into the sinkhole; the operator escaped unharmed. PWATD contracted with a crane company to lift the loader out of the sinkhole on February 7 so that engineers could access the site and assess the damages.

Discussion:

Upon inspection, it has been determined that the sinkhole is the result of a failed 6'x4' corrugated metal pipe culvert that crosses underneath the road to carry drainage. This culvert must be replaced to reopen the road. The sinkhole is of such size that it cannot be covered temporarily until the culvert is replaced. Because of this the full roadway remains closed. The current detour options for those living above the closure include accessing SR-1 via Deer Creek Road or traveling Yerba Buena Road northerly into Los Angeles County. Both detours add considerable time to commutes. PWATD has also received calls from area residents expressing concern about emergency response times of first responders due to the current detours in place.



PWATD was able to locate an available seven-foot diameter Reinforced Concrete Pipe (RCP) from a supplier near San Diego. It has been purchased and is available immediately for delivery.

Pursuant to Public Contract Code section 22050(b), your Board has delegated to the DPWA the authority, in the case of an emergency, to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. Using this authority, within the last seven days, PWATD negotiated a contract with J&H for the installation of this seven-foot diameter RCP at a depth of fifteen to twenty feet. Trench safety at this depth requires an excavation approximately fifty feet long and forty feet wide. The new pipe and materials will be lowered into the excavation by a large crane. The estimated cost – the final cost was still under negotiation as of the writing of this board letter – is \$260,000.

Justification of Emergency Contract:

When the DPWA exercises his delegated authority, he must report to your Board, at its next meeting, the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids and why the action is necessary to respond to the emergency. Initially, PWATD expected to have to order the fabrication of the RCP, which would have required six to eight weeks. With such a lead time, the normal bidding and awarding process would not have delayed the RCP installation. However, with the RCP already fabricated and ready for pickup, the sinkhole can be repaired five to seven weeks faster, accelerating the elimination of the detours and their potential effect on emergency response times. Through the exercise of the DPWA's emergency contract authority, PWATD can expedite the construction contract process to repair and reopen Yerba Buena Road almost two months earlier than expected.

CEQA Determination:

The project is statutorily exempt under CEQA Section 15269 (b) which exempts "emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare."

Continuation of Emergency Project:

Pursuant to Public Contract Code section 22050(c)(2), when the DPWA exercises his delegated authority, as here, your Board must initially review the emergency action not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action, to determine, by a four-fifths vote, that there is a need to continue the action. For the reasons described above, your Board is asked to determine that there is a need to continue the project on an emergency basis through the contract with J&H.



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

If you have questions, please call the undersigned at (805) 654-2073.



JEFF PRATT
Director
Public Works Agency

Attachments:

Exhibit 1 – Vicinity Map
Exhibit 2 – Location Map

