

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: December 14, 2023

PREPARED BY: Randy Chavez, Deputy Director of Public Works

REQUEST: AUTHORIZE THE CITY MANAGER TO AWARD TASK ORDER CONTRACTS TO MULTIPLE VENDORS FOR CITYWIDE TROPICAL STORM HILARY MAINTENANCE AND REPAIRS IN AN AMOUNT NOT TO EXCEED \$2,000,000 (PROJECT NO. SDS00003)

RECOMMENDATION:

1. Authorize the City Manager to review and reject bids, waive any minor irregularities, and award task order contracts to qualified contractors for Citywide Tropical Storm Hilary Maintenance and Repairs for a period of two (2) years in an aggregate amount not to exceed \$2,000,000, pursuant to the terms of the agreement(s).
2. Authorize the Director of Finance to appropriate \$500,000 from General Fund Facility Reserve Funds to Account No. 1104159-4219100.
3. Authorize the City Manager to execute the agreements, and to review and approve up to two (2) additional one-year terms per vendor contract.
4. Authorize the City Attorney to make any necessary non-monetary changes to the agreement.

BACKGROUND/ANALYSIS:

On August 20, 2023, Tropical Storm Hilary brought unprecedented rain to the city. Flood waters and debris from the Morongo Valley basin overwhelmed the City's storm drain system, catch basins, culverts, and other infrastructure used to convey flood water. Many of the storm channels were silted with over five feet of sediment and debris.

Shortly after the tropical storm, the City Council issued an Emergency Declaration. The declaration enabled staff to mobilize quickly to retain vendors and contractors to repair and clean areas that needed immediate attention. Work included pumping water out of flooded areas, performing cleanup on city streets and rights of way, and clearing retention basins and channels that had been breached by the storm. This initial emergency cleanup focused on strategic locations along the north section of the city. When the Emergency Declaration expired, Purchasing Ordinance procedures were reinstated, and formal bidding processes were reinstated to secure contractors.

The Tropical Storm Hilary Maintenance and Repairs Project entails assessing and cleaning the entire Mid Valley Channel, from Monterey Avenue to Washington Street. The project also will involve cleaning culverts along the whitewater channel at Cook Street and other infrastructure impacted by Tropical Storm Hilary and will be scheduled based on immediate needs. The project is currently being advertised with proposals due January 4, 2024. The review and recommendation process would take an additional several weeks under normal processes.

Due to City Council’s winter break and the possibility of rain in the near future, staff is requesting City Council authorize the City Manager to award Tropical Storm Hilary Maintenance and Repairs task order contracts to vendors who submit qualified proposals. Staff intends to award multiple vendors to expedite cleanup efforts. Due to relatively scarce availability of qualified contractors in the area, staff proposes that the City award the contracts for two (2) year terms; this flexibility can help secure contractors. In order to maximize potential reimbursement from state and federal sources, contractors will be required to adhere to Code of Federal Regulations Part 2, 200.

Legal Review:

This report has been reviewed by the City Attorney’s office.

Strategic Plan:

This project will assist with maintaining City infrastructure in a high-quality state.

FINANCIAL IMPACT:

To date, the City Council has approved a total of \$5,050,000 for emergency response and repairs following the Hilary Storm Events. This total includes an appropriation of \$1,765,000 and \$360,000 to cover the initial emergency response, as well as any immediate anticipated recovery costs; a \$2,000,000 appropriation for costs associated with the Mid Valley Channel; and an appropriation of \$925,000 for costs associated with Freedom Park.

Currently, a total of \$1,508,557 is available in the emergency fund account; however, funds are designated for the repairs at the Mid Valley Channel. Therefore, staff request an appropriation of \$500,000 to be utilized for repairs at Cook Street whitewater channel and other infrastructure.

Below is the most recent update relative to this effort:

| <i>Description</i> | <i>Budget</i> | <i>Expenses / Encumbrances</i> | <i>Pending Expenses</i> | <i>Balance</i> |
|---|---------------|------------------------------------|-----------------------------|-----------------------|
| <i>Initial Appropriation</i> | \$1,765,000 | \$1,338,792 | \$100,000 | |
| <i>August Appropriation</i> | \$360,000 | | \$360,000 | |
| <i>Mid-Valley Channel Appropriation</i> | \$2,000,000 | | \$500,000 | |
| <i>Freedom Park Appropriation</i> | \$925,000 | \$617,651 | \$625,000 | |
| <i>Total</i> | \$5,050,000 | \$1,956,443 | \$1,585,000 | \$1,508,557 |
| <i>On-call Contractors</i> | | | | \$2,000,000 |
| <i>Remaining Budget</i> | | | | -(<i>\$491,443</i>) |
| <i>This Appropriation Request</i> | \$500,000 | \$0.00 | \$0.00 | \$500,000 |

ATTACHMENTS:

1. Short-Form Construction Agreement