CITY OF PALM DESERT
STAFF REPORT

MEETING DATE: July 10, 2025

PREPARED BY: Randy Chavez, Director of Public Works

SUBJECT: AUTHORIZE CITY MANAGER TO AWARD CONTRACT TO JEREMY HARRIS CONSTRUCTION, INC., FOR NUISANCE SOIL REMOVAL (PROJECT NO. SCC00001)

RECOMMENDATION:

1. Authorize the City Manager to award a construction agreement to Jeremy Harris Construction, Inc., of Riverside, California, for the Nuisance Soil Removal Project for total compensation of $529,998, plus $105,000 contingency for unforeseen conditions.
2. Authorize the City Attorney to make necessary non-monetary changes to the agreement.
3. Authorize the City Manager to execute the agreement and any written requests for change orders up to the contingency amount, amendments, and any other documents necessary to effectuate this action, in accordance with Palm Desert Municipal Code Section 3.30.170.
4. Authorize the City Manager to execute the Notice of Completion (NOC) and the City Clerk to file the NOC upon satisfactory completion of the Project.
5. Reject all bids opened on October 29, 2024.

BACKGROUND/ANALYSIS:

The subject property, a privately owned parcel, formerly part of a golf course, is located within the boundaries of California Drive to the south, Kentucky Avenue to the west and north, and Tennessee Avenue to the east. Approximately 12,000 cubic yards of stockpiled soil remains on-site. The accumulated soil has generated significant concern among neighboring residents due to its appearance, potential environmental impacts, and perceived nuisance.

To address these concerns, the City of Palm Desert (City) initiated legal proceedings to obtain court authorization for site access and recovery of cleanup costs from the property owner. While the legal case was pending, the City moved forward with a competitive bid process to ensure readiness upon securing access.

The initial bid solicitation concluded with a public bid opening on October 29, 2024, during which multiple competitive proposals were received. All bidders were advised that their submissions must remain valid through April 27, 2025, to accommodate the ongoing legal process. However, because the lawsuit remained unresolved and the bid-hold period has since expired, the previous bids are no longer valid. As a result, staff is requesting that the City Council formally reject all expired bids.

DISCUSSION
Following the expiration of prior bids, staff issued a new Notice Inviting Bids (NIB) on May 16, 2025, through the City's procurement platform, OpenGov (Project ID 2025-IFB-188) and closed on June 17, 2025.

Three responsive bids were received with the following results:

Contractor	Location	Rank	Total Bid
Jeremy Harris Construction, Inc	Riverside, CA	1	$529,998
Tri-Star Contracting II, Inc.	Desert Hot Springs, CA	2	$678,517
Remedial Transportation Services	Shafter, CA	3	$753,300

Staff found the bid from the lowest bidder, Jeremy Harris Construction, Inc., to be responsive and recommend awarding the project to them in the amount of $529,998, with an additional $105,000 contingency. In accordance with bid requirements, the contractor has agreed to hold their price for 270 days. Since the soil removal is related to a pending lawsuit, it is uncertain whether the City will ultimately be required to complete the work. However, to be prepared and respond as quickly as possible should the need arise, staff recommend that the City Council authorize the City Manager to award the contract in the amounts stated above, without the need for further Council action.

Legal Review:
This report has been reviewed by the City Attorney's Office.

FINANCIAL IMPACT:

The Public Works Department proposed Capital Improvement Project (CIP) List for Fiscal Year 2025/26 includes $650,000 for the Nuisance Soil Removal under Account No. 4004300-4309000, Cap-Improvements. The construction cost including contingency totals $634,998; therefore, there is no further financial impact to the general fund with this action.

ATTACHMENTS:

1. Construction Agreement
2. Payment and Performance Bonds
3. Proposal