



County of Santa Cruz Board of Supervisors

Agenda Item Submittal

From: DPW: Construction Management

(831) 454-2160

Subject: CZU Lightning Complex Fire: Roadside Ditch Cleaning

Meeting Date: October 20, 2020

Recommended Actions

- 1) Accept and file status update on emergency Contract No. 21D0523 with Granite Construction Company for emergency roadside ditch cleaning impacting critical roadway facilities;
- 2) Pursuant to Public Contract Code section 22050, find that there is a need to continue emergency action by four-fifths vote;
- 3) Pursuant to Public Contract Code section 22050, find that the nature of the emergency does not allow for competitive bidding by four-fifths vote; and
- 4) Direct Public Works to negotiate and return on November 10, 2020 with an Independent Contract Agreement and a report on the status of the emergency work.

Executive Summary

Public Works is requesting findings, under Section 22050 of the Public Contract Code, that the roadside ditch cleaning in fire damaged areas is necessary to respond to this emergency and the emergency will not permit a delay resulting from a competitive solicitation for bids. Direction to negotiate and return with an Independent Contractor Agreement is also requested as the nature of the emergency prohibited finalization of such an Agreement prior to start of work due to the urgent conditions of the roadside ditches in critical need of cleaning.

Background

In August 2020, the CZU Lightning Complex Fire caused significant damage to critical roadway facilities. Many of these facilities were damaged, directly impacting roadway safety, and present a threat to the safety of the public and that of multiple agencies working on fire recovery.

Analysis

Damage sustained from the fire resulted in obvious and immediate risk to County-maintained roadway facilities requiring cleaning of fire debris and burnt loose soil filled roadside ditches. Such fire damaged materials contained in roadside ditches has caused dangerous conditions compromising roadway facilities purpose and safety.

These impacts were anticipated to result in dangerous conditions at multiple locations,

creating increased risk within County infrastructure, which the Deputy CAO/Director of Public Works determined pursuant to delegated authority constituted an emergency within the definition of Public Contract Code section 1102 as these presented an imminent danger to the public requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services. Immediate debris cleaning was and remains necessary in order to prevent flooding from debris blocked ditches, gutters, and cross culverts once the rainy season begins within the fire area, and to provide safe access to multiple agencies working on fire recovery and residents returning home throughout the fire damaged County areas.

Due to the imminent threat to life, health, property, and essential public services presented by this fire damage, it was necessary to engage a contractor to undertake the emergency roadside ditch cleaning as quickly as possible and the Deputy CAO/Director of Public Works determined that the nature of the emergency did not allow for the delay that would result from competitive bidding.

Granite Construction Company has successfully completed numerous projects for Public Works in the past and was therefore engaged in September 2020 to begin performing the critical roadside ditch cleaning work on a time and material basis under E-No. E-0052, 21D0523. The project scope of work for Granite Construction Company is attached for your Board's review and will be formally incorporated in an Independent Contractor Agreement prior to the next regularly scheduled meeting of your Board for review and approval by your Board.

At every regularly scheduled meeting hereafter, Public Works will return in accordance with Section 22050 of the Public Contract Code to your Board with status updates until the emergency repair work is terminated.

Financial Impact

Funding for this emergency project will be provided through FEMA and Cal OES disaster recovery grants. The local match portion will be paid by the County.

Strategic Plan Elements

- 3.C (Reliable Transportation Local Roads)
- 6.C (Operational Excellence: County Infrastructure)

The CZU Lightning Complex Fire Roadside Ditch Cleaning supports the goals of the County Strategic Plan focus area to upgrade road safety for everyone and responsibly maintaining County assets in support of community goals by repairing fire damaged public infrastructure.

Submitted by:

Matt Machado, Deputy CAO/Director of Public Works

Recommended by:

Carlos J. Palacios, County Administrative Officer

Attachments:

a Scope of Work - CZU Lightning Complex Fire Roadside Ditch Cleaning, E-0052,
Granite Construction Co