

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
SITTING AS THE GOVERNING BODY OF THE FOLLOWING:
SAN BERNARDINO COUNTY
SAN BERNARDINO COUNTY FLOOD CONTROL DISTRICT
AND RECORD OF ACTION**

October 22, 2024

FROM

NOEL CASTILLO, Director and Chief Flood Control Engineer, Department of Public Works and San Bernardino County Flood Control District

SUBJECT

Amendments to Contracts for On-call Storm Maintenance Services

RECOMMENDATION(S)

1. Acting as the governing body of San Bernardino County, approve the following amendments for on-call storm maintenance services to increase the contract amounts, with no change to the contract term of October 27, 2020, through June 30, 2025:
 - a. **Amendment No. 4 to Contract No. 20-1026** with Weaver Grading, Inc., increasing the contract amount by \$2,000,000, from \$6,500,000 to \$8,500,000.
 - b. **Amendment No. 2 to Contract No. 20-1014** with Jeremy Harris Construction, Inc., increasing the contract amount by \$1,250,000, from \$2,500,000 to \$3,750,000.
2. Acting as the governing body of San Bernardino County Flood Control District, approve the following amendments for on-call storm maintenance services, increasing the contract amounts, with no change to the contract term of October 27, 2020, through June 30, 2025:
 - a. Approve **Amendment No. 1 to Contract No. 20-1030** with Amer General Engineering, increasing the contract amount by \$1,250,000, from \$1,250,000 to \$2,500,000, and adding additional requirements in connection with Executive Order N-6-22 Russia Sanctions and Senate Bill 1439 contractor reporting information.
 - b. Approve **Amendment No. 1 to Contract No. 20-1037** with James Dickey, Inc., increasing the contract amount by \$1,250,000, from \$1,250,000 to \$2,500,000, and adding additional requirements in connection with Executive Order N-6-22 Russia Sanctions and Senate Bill 1439 contractor reporting information.
 - c. Approve **Amendment No. 2 to Contract No. 20-1050** with Weaver Grading, Inc., increasing the contract amount by \$2,500,000, from \$2,500,000 to \$5,000,000.

(Presenter: Noel Castillo, Director and Chief Flood Control Engineer, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Operate in a Fiscally-Responsible and Business-Like Manner.

Provide for the Safety, Health and Social Service Needs of County Residents.

FINANCIAL IMPACT

Approval of this item will not result in the use of Discretionary General Funding (Net County Cost). The Department of Public Works-Transportation (Department) is funded by Gas Tax revenue, fee revenue, and other local, state, and federal funding. The San Bernardino County Flood Control District (District) is funded by property tax revenue, fee revenue, and local, state,

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and federal funding. As these are contracts for on-call storm maintenance services, including routine maintenance, emergency services, and public projects not exceeding \$60,000 (the amount specified in Public Contracts Code Section 22032(a)), the specific projects have not yet been determined. Depending on the project, one of the above funding sources will be used to fund the cost of the contract.

The Department and the District have each budgeted \$2,000,000 in fiscal year 2024-25 for on-call storm maintenance services. Annual contract expenditures will not exceed these budgeted amounts. Future recommended budgets will include appropriation for these services.

In the event of an emergency, the Department and District will initially finance emergency costs from their annual budget appropriation. Subsequently, both the Department and District will submit reimbursement claims to the California Emergency Management Agency, the Federal Highway Administration, and the Federal Emergency Management Agency, as may be applicable.

BACKGROUND INFORMATION

The Department and District maintain a list of pre-approved contractors for on-call storm maintenance such as debris removal, culvert pipe cleaning and repair, and bridge, concrete, and asphalt work. These contractors can be utilized for routine maintenance, public projects under \$60,000, and emergency projects, in accordance with the Public Contract Code.

Upon project identification, the Department and District solicit bids from pre-approved contractors. The lowest bidder will be selected, unless other critical conditions that are specified in the bid request require other considerations. For emergency projects, in accordance with the Public Contract Code, the Department and District may directly contact any pre-approved contractor to ensure a prompt response, with pricing negotiated at the time of contact.

The Department and the District monitor contract expenditures on a monthly basis; the contracts identified in the Recommendations are near the not-to-exceed amount, as these vendors have been the lowest responsive bidders for various services during the recent emergencies. The proposed contract amendments will increase the total not-to-exceed amount as outlined in the Recommendations, allowing the Department and the District to continue to receive, and award, bids.

On October 27, 2020 (Item No. 94), the Board of Supervisors (Board) approved contracts in the amount of \$1,250,000 each, for the period of October 27, 2020 through June 30, 2025 with 23 contractors to provide on-call storm maintenance services, which included Contract No. 20-1030 with Amer General Engineering, Inc., Contract No. 20-1037 with James Dickey, Inc., Contract Nos. 20-1026 and 20-1050 with Weaver Grading, Inc. (Weaver Grading), and Contract No. 20-1014 with Jeremy Harris Construction, Inc. (Jeremy Harris).

On April 11, 2023 (Item No. 57), the Board approved Amendment No. 1 to Contract Nos. 20-1026 and 20-1050 with Weaver Grading, increasing the amount of the contracts for both the Department and the District, from \$1,250,000 to \$2,500,000. The increase was due to the vendor's emergency response services and their status as the lowest bidder on various storm clean-up projects. There was no change to the contract term.

On June 27, 2023 (Item No. 136), the Board approved Amendment No. 2 to Contract No. 20-1026 with Weaver Grading, increasing the Department contract amount from \$2,500,000 to \$4,500,000. The increase was due to the vendor's emergency response services and their

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status as the lowest bidder on various storm clean-up projects. There was no change to the contract term.

On October 3, 2023 (Item No. 39), the Board approved Amendment No. 1 to Contract No. 20-1014 Jeremy Harris, increasing the Department contract amount from \$1,250,000 to \$2,500,000. The increase was due to the vendor's emergency response services and their status as the lowest bidder on various storm clean-up projects. There was no change to the contract term.

On March 26, 2024 (Item No. 63), the Board approved Amendment No. 3 to Contract No. 20-1026 with Weaver Grading, increasing the Department contract from \$4,500,000 to \$6,500,000. The increase was due to the vendor's emergency response services and their status as the lowest bidder on various storm clean-up projects. There was no change to the contract term.

The pre-qualification of contractors streamlines the procurement process and reduces delays to Department and District operations, which supports the goal of operating in a fiscal responsible and business-like manner, as well as providing for the safety of county residents.

PROCUREMENT

Not applicable.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Aaron Gest and Sophie A. Curtis, Deputies County Counsel, 387-5455) on September 26, 2024; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on September 30, 2024; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on October 4, 2024.

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Record of Action of the Board of Supervisors
San Bernardino County Flood Control District
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Jesse Armendarez
Ayes: Col. Paul Cook (Ret.), Jesse Armendarez, Curt Hagman, Joe Baca, Jr.
Absent: Dawn Rowe

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: October 22, 2024



cc: Public Works Transportation - Basta w/agree
Contractor - c/o Public Works Transportation w/agree
File - w/agree

MBA 10/24/2024