

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF THE COUNTY OF SAN BERNARDINO
AND RECORD OF ACTION**

May 18, 2021

FROM

BRENDON BIGGS, Director, Department of Public Works – Transportation

SUBJECT

Contract with Lilburn Corporation to Provide Environmental, Mining, and Permitting Services for the Essex Overhead Quarry Project

RECOMMENDATION(S)

1. Approve **Contract No. 21-360** with Lilburn Corporation, in the amount of \$250,000 from May 31, 2021 to May 31, 2024 for preparation of environmental documents, technical reports, mining and regulatory permitting applications, and supporting documentation for the proposed Essex Overhead Quarry Project located at the Southwest Corner of the intersection of CA Highway 66/National Trails Highway and the Essex Overpass Railroad Tracks approximately 1.3 miles northeast of Essex in the Mojave Desert.
2. Authorize the Director of the Department of Public Works to add and/or delete services and reallocate funding between tasks as required to complete the work outlined in the Contract without increasing the total cost of the Contract.

(Presenter: Brendon Biggs, Director, 387-7906)

COUNTY AND CHIEF EXECUTIVE OFFICER GOALS & OBJECTIVES

Improve County Government Operations.

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

FINANCIAL IMPACT

Approval of this item will not require Discretionary General Funding (Net County Cost). The Department of Public Works (Department) is funded by Gas Tax revenue, fee revenue and other local, state and federal funding. The contract cost for environmental, mining and permitting services for the Essex Quarry is \$250,000 and will be funded with Gas Tax revenue. The Essex Overhead Quarry will provide local material for road maintenance in this remote area of the County and reduce handling and material costs. The quarry will not be staffed and there are minimal costs associated with maintaining the property. Sufficient appropriation and revenue are included in the Department's 2020-21 Road Operations budget (6650002000 63H14839) and will be included in future recommended budgets.

BACKGROUND INFORMATION

The proposed Contract will allow appropriate environmental and mining analysis and public disclosure of the potential environmental impacts of planned quarrying of materials, stockpiling and soils disposal for the maintenance of National Trails Highway (NTH) within San Bernardino County, which is commonly known as U.S. Highway 66 or Route 66.

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In order to fully evaluate the Essex Overhead Quarry Project located at the Southwest Corner of the intersection of CA Highway 66/National Trails Highway and the Essex Overpass Railroad Tracks approximately 1.3 miles northeast of Essex in the Mojave Desert (Project) for potential environmental impacts, an Initial Study must be completed in compliance with the California Environmental Quality Act (CEQA). In addition, all technical reports and environmental documents supporting necessary regulatory agency and mining permitting must be completed. The request to authorize the Director of the Department of Public Works to add/delete services or reallocate funds between task without increasing the total cost of the Contract will provide the flexibility needed to avoid costly time delays due to exact expenditures on specific tasks relying on circumstances that occur during the analysis phase.

The Essex Overhead Quarry was utilized historically in 1931 for the construction of U.S. Highway 66. The quarry site is an approximately 38-acre portion of Assessor's Parcel Numbers (APN) 0655-151-01 and 0655-162-01 located at the Southwest Corner of the intersection of CA Highway 66/NTH and the Essex Overpass Railroad Tracks approximately 1.3 miles northeast of Essex in the Mojave Desert.

In the desert areas that encompass Essex, Amboy, Danby, and Cadiz, summer monsoons occur annually, and often wash away material from many County maintained roads, road shoulders, as well as around abutments and wing walls of the bridges throughout this area. Much of the property in this area is either private property or owned by the Bureau of Land Management. Locating fill material to repair washouts and re-open roads is challenging, and can be expensive. Expediently re-opening roads is important for commerce, motorists, and landowners. The ability to provide mineral material, facilitate a stockpiling and soils management area for use in conjunction with the long-term maintenance of NTH, as well as have material-generating sources at strategic locations for regional public improvement projects will decrease costs of importing large quantities of sand and gravel, expedite the re-opening of roads and save fuel and reduce emissions.

It is anticipated that the potential Essex Quarry would be operated in two phases. Phase 1 is proposed to be on the 37.94-acre component of APN 0655-151-01 as well as APN 0655-162-01 on the west side of the Burlington Northern and Santa Fe (BNSF) Railroad tracks. This property was previously used as a quarry in 1930/1931. Phase 2 is proposed to be located on the 44.85-acre component of APN 0655-151-01 on the west side of the BNSF Railroad tracks. The final 6.36-acre portion of APN 0655-151-01 and the balance of APN 0655-162-01 on the east side of the BNSF Railroad Tracks is proposed to be designated as an Area of Non-Disturbance and habitat protection, shown referenced on the location map.

The scope of services to be performed under the proposed Contract include CEQA analysis, regulatory and mining compliance for the Project. However, the proposed Contract services themselves do not constitute a project under CEQA.

This action meets the County and Chief Executive Officer's Goals and Objectives of operating in a fiscally responsible and businesslike manner by using a competitive procurement process and negotiating the best possible price with the most qualified proposer in addition to providing a materials source at reduced overhead expense. This action also provides for improvement in County Government Operations by providing a more efficient and cost effective means of sourcing materials for needed emergency road repairs in the remote desert area.

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PROCUREMENT

On October 23, 2020, Request for Proposals PWG121-LANDD-4002 (RFP), for environmental, mining, and permitting services was released through the County Electronic Procurement Network (e-Pro). The RFP was released open market to all vendors who were registered in e-Pro with the County of San Bernardino.

On December 3, 2020, proposals from the four vendors listed below were received:

Consultant	Location
Aspen Environmental Group	Agoura Hills
Lilburn Corporation	San Bernardino
Stantec Consulting Services Inc.	San Bernardino
UltraSystems Environmental Inc.	Irvine

The proposals were evaluated by a selection committee comprised of three representatives from the County. The selection committee determined that there were two qualified proposals based on technical approach and qualified personnel and selected the lowest cost proposal which was Lilburn Corporation. No appeal/protest letters were received.

Lilburn Corporation representatives and the County have negotiated an amount of \$250,000. As stated in the Contract, either party may terminate the Contract in whole or in part upon 30 calendar days written notice. If the Contract is terminated in this manner, Lilburn Corporation shall receive equitable compensation for services rendered and expenses incurred prior to the effective date of termination.

REVIEW BY OTHERS

This item has been reviewed by County Counsel (Suzanne Bryant, Deputy County Counsel, 387-5455) on April 6, 2021; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on March 31, 2021; Finance (Jessica Trillo, Administrative Analyst, 387-4222) on April 26, 2021; and County Finance and Administration (Matthew Erickson, County Chief Financial Officer, 387-5423) on May 2, 2021.

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Record of Action of the Board of Supervisors
County of San Bernardino

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Janice Rutherford

Ayes: Col. Paul Cook (Ret.), Janice Rutherford, Dawn Rowe, Curt Hagman, Joe Baca, Jr.

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 18, 2021



cc: PW/Trans - Zamora w/agree
Contractor - C/O PW/Trans w/agree
File - w/agree w/map
CCM 05/19/2021