

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

January 24, 2023

**FROM**

**BRENDON BIGGS, Director and Chief Flood Control Engineer, Department of Public Works – Transportation and Flood Control District**

**SUBJECT**

Contracts for On-Call Storm Maintenance Services

**RECOMMENDATION(S)**

1. Acting as the governing body of San Bernardino County, approve contracts with the following three vendors in the amount not-to-exceed \$625,000 each for the period of January 24, 2023 through June 30, 2025, for on-call storm maintenance services:
  - a. Downstream Services, Inc. (Escondido, CA). **Contract No. 23-50.**
  - b. H&H General Contractors, Inc. (Highland, CA). **Contract No. 23-51.**
  - c. Kirtley Construction, Inc. dba TK Construction (San Bernardino, CA). **Contract No. 23-52.**
2. Acting as the governing body of the San Bernardino County Flood Control District, approve contracts with the following three vendors in the amount not-to-exceed \$625,000 each for the period of January 24, 2023 through June 30, 2025, for on-call storm maintenance services:
  - a. Downstream Services, Inc. (Escondido, CA). **Contract No. 23-53.**
  - b. H&H General Contractors, Inc. (Highland, CA). **Contract No. 23-54.**
  - c. Kirtley Construction, Inc. dba TK Construction (San Bernardino, CA). **Contract No. 23-55.**

(Presenter: Brendon Biggs, 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 financed by Gas Tax revenues, fee revenue, and other local, state, and federal funding. The San Bernardino County Flood Control District (District) is funded by property tax revenues, fee revenue and other local, state, and federal funding. As these are on-call storm maintenance services contracts, 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.

Contract amounts are set at \$250,000 per year for the term of the contract to allow flexibility on individual projects that are sent out to bid. The total contract amount assigned to each vendor

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listed below is \$625,000 each for the Department and the District and has been prorated for the remaining term of the contracts; however, total annual contract expenditures will be limited to budgeted funds and will not exceed the annual budgeted amount of \$1,000,000 each for the Department and District for 2022-23. Sufficient appropriation and revenue are included in the Department and District's respective 2022-23 budgets and will be included in future recommended budgets.

The total contract amounts assigned to each vendor identified in this item are listed below:

<b>Contractor Name</b>	<b>Department Contract Amount</b>	<b>District Contract Amount</b>
Downstream Services, Inc.	\$625,000	\$625,000
H&H General Contractors, Inc.	\$625,000	\$625,000
Kirtley Construction, Inc. dba TK Construction	\$625,000	\$625,000

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

**BACKGROUND INFORMATION**

Upon approval of this item, the Department and the District will have the ability to call upon a list of pre-approved qualified contractors to provide on-call storm maintenance services. As projects are identified, the Department and District will contact the pre-qualified contractors to request bids. The lowest bidder is then selected to provide the requested services for the project. However, conditions other than price are sometimes important and will be taken into account, when necessary. Such conditions will be identified in the request for bids on an individual project. For emergency projects (following applicable provisions of the Public Contract Code), the Department and District may contact any contractor directly in order to promptly respond to such emergency and the price will be negotiated at the time of contact. In accordance with the terms of the Request for Qualifications (RFQ), the contractors may be utilized for routine maintenance projects, public projects not exceeding the amount identified in Public Contract Code Section 22032 (a) and eligible emergency projects (following applicable provisions of the Public Contract Code). Requesting qualifications from contractors before a project or emergency occurs reduces delays in the procurement process, which support the goal of operating in a fiscally-responsible and business-like manner, as well as providing for the safety of County residents.

**PROCUREMENT**

On August 11, 2020, the County Administrative Office (CAO) authorized the release of RFQ PWG 121-ADMIN-3914 to solicit and create a list of qualified contractors to provide the Department and the District with on-call storm maintenance services for work performed on County roads and District facilities and augment the list on a semi-annual basis. On October 27, 2020 (Item No. 94) the Board of Supervisors (Board) approved contracts with 23 vendors to be on the on-call storm maintenance services list and provide on-call maintenance services for road and flood control facilities. Previous Board actions approving additions to the prequalified vendor list for on-call storm maintenance services are as follows:

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<b>Date</b>	<b>Item No.</b>	<b>Board Action</b>
10/27/2020	94	Approved 23 vendors
10/26/2021	81	Approved two additional vendors

On October 25, 2022, the CAO authorized the release of RFQ PWG 122-OPERA-4544 to solicit additional proposals from contractors not already on the prequalified list. The Department and the District received three proposals. Proposals from all the contractors identified in the Recommendation meet the minimum requirements specified in the RFQ, including types of equipment, service area, and compliance with Department and District terms and conditions. The Department and the District, therefore, recommend that these contractors be included on the prequalified list. Approval of this item will bring the total number of approved contracts to 28.

This RFQ shall remain open in the County's eProcurement Network through November 30, 2024, with semi-annual deadlines for proposal submissions. The Department and District will return to the Board for approval of subsequent contracts resulting from this RFQ. The contracts will remain in effect until June 30, 2025.

**REVIEW BY OTHERS**

This item has been reviewed by County Counsel (Aaron Gest and Sophie A. Akins, Deputies County Counsel, 387-5455) on December 7, 2022; Purchasing (Jason Cloninger, Lead Buyer, 387-8258) on December 5, 2022; Finance (Carl Lofton, Administrative Analyst, 387-5404) on January 4, 2023; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on January 6, 2023.

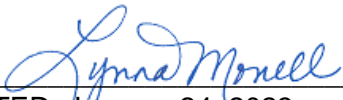
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Record of Action of the Board of Supervisors  
San Bernardino County  
San Bernardino County Flood Control District

**APPROVED (CONSENT CALENDAR)**

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

Lynna Monell, CLERK OF THE BOARD

BY   
DATED: January 24, 2023



cc: PW/Trans- Basta w/agree  
Contractor- C/O PW/Trans w/agree  
SDD/SBCFCD- Basta w/agree  
Contractor- C/O SBCFCD w/agree  
File- w/agree  
LA 01/31/2023