

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

May 9, 2023

FROM

PETE MENDOZA, Interim Director, Purchasing Department

SUBJECT

Amendment to Agreement with BELFOR USA Group, Inc. for Emergency Environmental Remediation and Restoration Services

RECOMMENDATION(S)

Approve **Amendment No. 4 to Agreement No. 20-685** with BELFOR USA Group, Inc., for the provision of emergency environmental remediation and restoration services, including additional areas, for the cleaning or disposal of San Bernardino County Fire Protection District supplies and equipment, increasing the project-specific not-to-exceed amount for the work at 2824 East W Street in San Bernardino by \$917,000, from \$583,000 to \$1,500,000; increasing the project-specific not-to-exceed amount for the work at Camp 6 by \$35,000, from \$60,000 to \$95,000; and increasing the project-specific not-to-exceed amount for the work at Camp 7 by \$70,000, from \$60,000 to \$130,000, with no other changes to the contract or the total contract term of September 1, 2020 through August 30, 2025.

(Presenter: Pete Mendoza, Interim Director, 387-2073)

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 amendment will not result in the use of Discretionary General Funding (Net County Cost). The total cost for the emergency remediation and restoration services under Contract No. 20-685 (Contract) with BELFOR USA Group, Inc. (BELFOR) will not exceed \$1,500,000 for the cleaning or disposal of San Bernardino County Fire Protection District (SBCFPD) supplies and equipment at 2824 East W Street in San Bernardino, \$95,000 for Camp 6, \$130,000 for Camp 7, and \$60,000 for all other individual projects. The cost for emergency remediation and restoration services is based on an hourly rate. Impact on individual department budgets is based upon need for services, and departments that require Emergency Environmental Remediation and Restoration Services are responsible for ensuring adequate funding in current and future budgets. The County's average annual expenditure for these services is approximately \$862,000 per year. Sufficient appropriation is included in the 2022-23 SBCFPD budget and will be included in future recommended budgets.

BACKGROUND INFORMATION

SBCFPD currently leases 29,978 square feet of hangar storage space and 3.95 acres of land located at 2824 East W Street at the San Bernardino International Airport (Premises) from the San Bernardino International Airport Authority, pursuant to Lease Agreement No. 95-365

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(Existing Lease). The most recent amendment to the Existing Lease was approved by the SBCFPD Board of Directors on August 24, 2021 (Item No. 56), which extended the term of the Existing Lease through August 31, 2022. SBCFPD is currently in a holdover status under the terms of the Existing Lease. Last year, the warehouse portion of the Premises underwent environmental testing for lead on several different dates. The results of the wipe samples indicate that the dust in certain areas of the warehouse portion of the Premises exceed the California Department of Public Health's definition of "Lead-Contaminated Dust". As a result, SBCFPD has been cleaning or disposing of the affected supplies and equipment at the Premises, as well as other SBCFPD facilities, such as Camp 6 and Camp 7.

On August 25, 2020 (Item No. 47), as the result of a competitive procurement process, the San Bernardino County Board of Supervisors (Board) approved the Contract with BELFOR for the provision of emergency environmental remediation and restoration services, with the total cost of individual projects not to exceed \$60,000, for the period of September 1, 2020 through August 30, 2025. The intent of the Contract was to provide emergency environmental remediation and restoration services on an as needed basis to departments and agencies throughout San Bernardino County (County).

On July 26, 2022 (Item No. 44), Amendment No. 2 to the Contract was approved by the Board, which updated the pricing on Attachment C - Pricing Sheet of the Contract.

On December 6, 2022 (Item No. 66), Amendment No. 3 to the Contract was approved by the Board, which increased the not-to-exceed amount for the cleaning or disposing of SBCFPD supplies and equipment at the Premises (Project) by \$523,000, increasing the total not to exceed Project cost from \$60,000 to \$583,000. This Amendment No. 3 was limited in location for the cleaning or disposal of all supplies and equipment at the Premises.

Approval of Amendment No. 4 to the Contract will result in an increase of \$917,000 in the not-to-exceed amount for the Project. This increase will raise the not-to-exceed Project limit from \$583,000 to \$1,500,000, and includes additional areas for the cleaning or disposal of SBCFPD supplies and equipment at the Premises due to the presence of lead-contaminated dust. BELFOR will undertake the cleaning or disposing of supplies and equipment at other SBCFPD facilities on a project-by-project basis. Two individual projects at Camp 6 and Camp 7 are expected to exceed the current not-to-exceed amount of \$60,000 per project. As a result, this Amendment No. 4 will increase the project-specific not-to-exceed amount for the cleaning or disposal of supplies and equipment at Camp 6 by \$35,000, from \$60,000 to \$95,000, and increase the project-specific not-to-exceed amount for the cleaning or disposal of supplies and equipment at Camp 7 by \$70,000, from \$60,000 to \$130,000. The not-to-exceed amount for all other individual projects under this Contract will remain at \$60,000.

The above increases will enable immediate cleaning and remediation to ensure a safe work environment. All other terms and conditions of the Contract shall remain unchanged.

PROCUREMENT

Approval of Amendment No. 4 results in a non-competitive expansion of the Project scope of work beyond the current project limits. This is due to SBCFPD's need for BELFOR to clean or dispose of additional SBCFPD supplies and equipment without delay for safety due to the presence of lead-contaminated dust.

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REVIEW BY OTHERS

This item has been reviewed by County Counsel (Scott Runyan, Principal Assistant County Counsel, and Adam Ebright, Deputy County Counsel, 387-5455) on April 20, 2023; Risk Management (Victor Tordesillas, Director, 386-8623) on April 19, 2023; San Bernardino County Fire Protection District (Bertral Washington, Deputy Chief, 387-5974) on April 20, 2023; Finance (Tom Forster, 387-4635, and Ivan Ramirez, 387-4020, Administrative Analysts) on April 24, 2023; and County Finance and Administration (Paloma Hernandez-Barker, Deputy Executive Officer, 387-5423) on April 24, 2023.

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Record of Action of the Board of Supervisors
San Bernardino County

APPROVED (CONSENT CALENDAR)

Moved: Joe Baca, Jr. Seconded: Curt Hagman

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

Lynna Monell, CLERK OF THE BOARD

BY 
DATED: May 9, 2023



cc: Purchasing - Gomez w/agree
Contractor - c/o Purchasing
File - w/agree
jm 05/15/2023