



DATE: October 21, 2024

TO: Mayor and Members of the City Council
President and Members of the Estero Municipal Improvement
District Board of Directors

VIA: Stefan Chatwin, City/District Manager
Marlene Subhashini, Assistant City/District Manager

FROM: Andrew Brozyna, Public Works Director/City/District Engineer
Zaheed Danish, Public Works Maintenance Manager

DEPARTMENT: Public Works

SUBJECT: ISSUANCE OF A REQUEST FOR PROPOSAL FOR ON-CALL
PUBLIC WORKS MAINTENANCE AND URGENT/EMERGENCY
RESPONSE SERVICES

RECOMMENDATION

It is recommended that the City Council/District Board adopt resolutions authorizing the issuance of a Request for Proposal (RFP) for On-Call Public Works Maintenance and Urgent/Emergency Response Services; authorizing the City/District Manager to execute Master Service Agreements for on-call services with qualified contractors; and finding the action exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(B)(3), 15301 (Class 1-Existing Facilities), 15302 (Class 2-Replacement or Reconstruction) and 15269 (B) (Emergency Repair).

EXECUTIVE SUMMARY

The City/District's infrastructure is now over fifty (50) years old and, although it is well maintained, is requiring increasing age-related maintenance and repair. City/District staff conduct regular and routine maintenance and repair of these systems in order to ensure that they remain in excellent condition on a daily basis, but there are occasionally needs for

outside expert contractors to perform routine, urgent or emergency work that cannot be performed by City/District staff.

Issuing an RFP for local contractors who are licensed to perform maintenance and repair of the City/District's water, wastewater and stormwater systems, and roadways on an on-call basis, and authorizing the City/District Manager to enter into on-call agreements with contractors who are deemed by staff to be qualified through the RFP process, will establish contractual relationships between the City/District and qualified contractors so that they can respond quickly and efficiently when urgent/emergency work is necessary.

BACKGROUND/ANALYSIS

The City/District manages and maintains essential facilities such as water, wastewater and stormwater infrastructure systems. The City/District's infrastructure is now over fifty (50) years old and, although it is well maintained, is requiring increasing age-related maintenance and repair. City/District staff conduct regular and routine maintenance and repair of these systems in order to ensure that they remain in excellent condition on a daily basis, but there are occasionally needs for outside expert contractors to perform routine, urgent or emergency work that cannot be performed by City/District staff. One such example of urgent/emergency service was work performed due to the unanticipated failure of a portion of the City/District's 24-inch water transmission main that occurred in April 2024. Further, an example of routine work for which contractual services may be needed for expertise and staff support is with the scheduled installation of large water meters which require a whole crew to install or replacement of air release valves which requires a system wide shut down.

Staff recommends issuing an RFP for contractors who are licensed to perform maintenance and repair on the City/District's water, wastewater and stormwater systems, and roadways on an on-call basis. The RFP process ensures that contractors are solicited through an open and competitive process. The RFP process is used to identify contractors with the necessary background, qualifications and experience to provide services as well as making certain the cost for services is competitive.

The intent of this RFP is to establish a pool of qualified contractors to provide maintenance and repairs to the City/District's essential infrastructure through a Master Service Agreement. This may also include services like debris management, building restoration, or delivery of goods and supplies during an emergency. When there is an urgent or emergency situation that requires the expertise and/or staffing of an outside contractor, staff will identify the qualified contractor and secure their services through a Task Order for each separate project. Executing these Master Service Agreements in advance of the need for a specific scope of work will establish the contractual relationships between the City/District and qualified contractors, including contract terms and insurance requirements, so that the City/District staff are better positioned to reach out to contractors who can respond quickly and efficiently when work is necessary.

Any public works projects over the City/District Manager, or their designee's signing authority, are subject to the informal bidding procedures identified in Foster City Municipal Code (FCMC) Section 3.04.190 or the formal bidding procedures in FCMC 3.04.200 and

the City's Purchasing Policy, depending on the estimated cost of the project. If a local emergency is declared under the provisions of FCMC Chapter 2.40 pertaining to emergency organization and functions, the City Council pursuant to a four-fifths vote, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

Approving the attached resolution will authorize the City/District Manager to enter into on-call Master Service Agreements with contractors who are deemed by staff to be qualified through the RFP process. Once the Master Service Agreement is executed, the City/District Manager or their designee can approve individual Task Orders for various on-call work that may be needed by the City/District up to the City/District Manager, or their designee's signing authority, which is currently \$60,000, but may be increased to \$75,000 as of January 1, 2025 and additionally through the contract term, as allowed under the state Public Contracts Code and authorized by City Council at a future meeting.

CEQA

The issuance of an RFP for On-Call Public Works Maintenance and Urgent/Emergency Response Services is exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3) under the common sense exemption as it can be seen with certainty that the approval of the RFP for On-Call Public Works Maintenance and Urgent/Emergency Response Services will not have a significant effect on the environment. Any maintenance or repair done through the Master Service Agreement would also be exempt from review under CEQA Guidelines section 15301(Class 1-Existing Facilities) or 15302 (Class 2-Replacement or Reconstruction) or 15269 (b) (Emergency Repair) as the repair services will involve repair of existing infrastructure located on the same site and for the same purpose.

FISCAL IMPACT

There is no significant cost associated with issuing the RFP. Each Task Order issued under the agreements will be less than the City/District Manager, or their designee's signing authority, which is currently \$60,000, but may be increased to \$75,000 as of January 1, 2025, and additionally through the contract term as allowed under the state Public Contracts Code and authorized by City Council, unless that work is done under a declaration of emergency. Funding will be available for the work within the adopted Public Works Department budget.

ATTACHMENTS

Attachment 1 – City Resolution

Attachment 2 – EMID Resolution

Attachment 3 – Request for Proposal for On-Call Public Works Maintenance and Urgent/Emergency Services and Master Services Agreement