

RESOLUTION NO. 2015_ _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF CHULA VISTA APPROVING A SOLE SOURCE
AGREEMENT WITH HELIX ENVIRONMENTAL PLANNING,
INC. FOR THE PROVISION OF BIOLOGICAL MONITORING
SERVICES DURING THE CONSTRUCTION AND
SUBSEQUENT 5-YEAR MAINTENANCE PERIOD FOR
BONITA CANYON ENVIRONMENTAL RESTORATION AND
MITIGATION PROJECT

WHEREAS, on August 17, 2010, in accordance with Resolution No. 2010-212, the City Council established a new Capital Improvement Project for Bonita Canyon Repairs, project (DR-189); and

WHEREAS, on November 9, 2010, in accordance with Resolution 2010-263, the City Council approved an agreement between the City of Chula Vista and the Rick Engineering Company and Helix Environmental Planning (“RH Team”) for professional services for preparing plans and specifications for the Bonita Canyon Repair Project; and

WHEREAS, on March 13, 2012, in accordance with Resolution 2012-041, the City Council appropriated \$504,000 from the General Fund Reserve for Fiscal Year 2012, to the existing Capital Improvement Project DR189, for the construction of the Bonita Canyon repairs, environmental permitting fees, and for certain additional consultant services in accordance with Article I of the Agreement with RH Team; and

WHEREAS, on March 13, 2012, in accordance with Resolution 2012-041, the City Council appropriated an additional \$514,000 to DR189 for Bonita Canyon environmental mitigation in the FY2012-13 Capital Improvement Budget; and

WHEREAS, while processing plans for repairing the gabion structure with the Resource Agencies, Staff applied for an emergency Regional General Permit No. 63 permit (RGP63) from the Army Corps of Engineers due the vulnerability of the condition of the gabion structure and the threats of major storms; and

WHEREAS, on December 31, 2012, the Army Corps of Engineers (ACOE) granted the City a RGP63 permit to reinforce the gabion structure; and

WHEREAS, on January 4, 2013, upon obtaining City Manager’s approval and upon soliciting three informal bids from contractors, staff retained Cass Construction, Inc. to perform Bonita Canyon Emergency Repair in accordance with provisions in Section 1009 of the City Charter; and

WHEREAS, on March 27, 2013, Cass Construction, Inc. completed the emergency repair work, and as a result of completing the emergency work, the potential threat of injury and property damage was averted; and

WHEREAS, on July 22, 2014, the ACOE issued an approval letter for the Habitat Mitigation and Monitoring Plan (HMMP), where that HMMP approval allowed RH Team to complete the design and the bid package for the remaining environmental restoration and mitigation project; and

WHEREAS, in accordance with provisions in Section 1009 of the City Charter, on December 30, 2014, Chula Vista staff advertised and solicited bids from contractors for Bonita Canyon Environmental Restoration and Mitigation project that implements the wetland and upland environmental mitigation, said contract also includes a 5-year maintenance period as required by the approved HMMP; and

WHEREAS, the lowest bid for said contract was submitted by Natures Image, Inc. (Contractor License No. 720513) in the amount of \$244,602.10; and

WHEREAS, in addition, the HMMP requires that the City retain a second party to provide biological monitoring during the installation of the restoration and mitigation as well as the 5-year maintenance period after installation; and

WHEREAS, since Helix Environmental Planning (Helix) is very familiar with all aspect of this project, is already under contract with the City for finalizing the HMMP, and has established a working relationship with the ACOE, staff recommends that City Council waive the standard competitive selection process as impractical and in the City's best interest, and on sole source basis retain Helix to provide the biological monitoring services; and

WHEREAS, staff and Helix negotiated the contract amount for such services and arrived at a total contract price of \$95,900; and

WHEREAS, staff believes Helix's requested amount is fair and reasonable and therefore recommends retaining Helix for such work; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Chula Vista that it waives the competitive selection process pursuant to Chula Vista Municipal Code section 2.56.070(B)(3); accepts Helix "Letter Agreement/proposal to provide Biological Consulting Services for Bonita Canyon Environmental Restoration and Mitigation Project"; approves an agreement, in the form presented, with such minor modifications as may be required or approved by the City Attorney, with Helix in the amount of \$95,900, including contingency, for the provision of biological monitoring for Bonita Canyon Environmental Restoration and Mitigation project (DR200); and authorizes and directs the Mayor to execute same.

Presented by

Approved as to form by

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Richard A. Hopkins
Director of Public Works

Glen R. Googins
City Attorney