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# **NEWPORT BEACH**

## **City Council Staff Report**

July 28, 2020  
Agenda Item No. 6

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** Carol Jacobs, Assistant City Manager - 949-644-3313,  
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**TITLE:** Approval of Amendment No. Two to On-Call Maintenance/Repair  
Services Agreement with Newport Dredging Company Inc. for Harbor  
Maintenance and Repair Services

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**ABSTRACT:**

In order to maintain the safety and integrity of Newport Harbor and the various public harbor facilities, several maintenance and repair service agreements are required. Staff requests the approval of Amendment No. Two to the On-Call Harbor Maintenance and Repair Services agreement with Newport Dredging Company DBA South Mooring Company until such time as a formal Request for Bids can be completed.

**RECOMMENDATION:**

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly;
- b) Approve Amendment No. Two to On-Call Maintenance/Repair Services Agreement with Newport Dredging Company Inc. DBA South Mooring Company for Harbor Maintenance and Repair Services to add \$75,000 to the current agreement for a total not-to-exceed amount of \$325,000.00; and
- c) Authorize the Mayor and City Clerk to execute the amendment.

**FUNDING REQUIREMENTS:**

The adopted budget includes sufficient funding for such services. Individual maintenance and repair projects or tasks will be expensed to the appropriate Operations & Maintenance and/or Capital Improvement Program accounts in current year Harbor Department and Public Works Department budgets.

## **DISCUSSION:**

The City has typically used private sector contractors to fulfill various maintenance or repair services within Newport Harbor. These services include: public dock and pier repairs, maintenance of the City's mooring buoys, public dock and pier cleaning, City sewer pumpout station maintenance and repairs, assisting field personnel in clearing and removing trash/debris throughout the harbor including the log boom, minor dredging and beach maintenance, and other services which help maintain the safety and integrity of the City's Harbor and its public facilities. Staff typically maintains several contractors on-call to address the various items of work needed.

Staff is currently working on Requests for Proposals (RFPs) and Request for Bids (RFBs), in anticipation of future expiration dates and contract limits on existing maintenance agreements, for the following harbor related services:

- Outdoor janitorial services for docks – currently under review and selection process
- Pumpout Inspections and Specialized Maintenance
- On-Call Dock Repair and Maintenance
- Boat Removal, Storage and Disposal
- Vessel Towing

Staff is in the process of preparing a Mooring, Maintenance and Repair Services and Log Boom Work RFB, which will require formal Public Works bidding procedures and award to the lowest responsible bidder, which differs from past practice of the RFP process. This extension will provide staff the necessary time to award a new contract.

The contract with South Mooring was approved by Council on August 14, 2018 after a May 2017 RFP for various harbor related maintenance services. This original contract had a Not-to-Exceed (NTE) of \$200,000 and a scope that included mooring, maintenance and repair services; log boom work; sea lion abatement; harbor cleanup; dock repair and maintenance; boat demolitions; ongoing dock cleaning; and the maintenance and inspections of pumpouts. Both the Harbor Department and the Public Works Department shared the management and spending of this contract.

In April 2019, the City entered into Amendment No. 1 of the contract adding \$50,000 to the contract. Under Council Policy F-14, the City Manager may sign and award any contract amendment "so long as the contract amount does not exceed 125% of the original contract amount."

The existing agreement term is through January 31, 2021. However, due to the increased volume of work in the harbor and use by both departments, the current on-call maintenance/repair service agreement has reached its spending capacity.

The Harbor Department's and the Public Works Department's combined annual spending with South Mooring is approximately \$126,000; therefore, staff is requesting an additional \$75,000 be added to the contract for a new NTE of \$325,000 to get both departments through the 2020 calendar year. With the additional \$75,000, the Harbor Department and the Public Works Department will be able to continue their maintenance and repair service work in Newport Harbor with South Mooring, while conducting their RFPs and RFB for the creation of new contracts with new or existing contractors.

This agreement is crucial for both the Harbor Department and the Public Works Department to ensure that all public harbor facilities, from docks/piers to moorings and sewer pumpouts, are kept in good operating condition and available for use.

**ENVIRONMENTAL REVIEW:**

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**NOTICING:**

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

**ATTACHMENT:**

Attachment A – Amendment No. 2 to On-Call Maintenance/Repair Agreement with Newport Dredging Company, Inc. dba South Mooring Company