

SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

440



FROM: FIRE

SUBMITTAL DATE:  
September 27, 2011

SUBJECT: Sole Source Emergency Payment of Grading & Drainage from Inland Erosion Control, Inc.

RECOMMENDED MOTION: Move that the Board of Supervisors authorize Purchasing Agent to process a payment to Inland Erosion Control, Inc. for grading & drainage in the amount of \$53,488 without seeking competitive bids, in accordance with Ordinance 459.4

BACKGROUND: On December 22, 2010, the Board of Supervisors declared a local emergency in Riverside County due to severe winter storms. These storms resulted in inaction of Board Policy F-4, Abnormal Emergency Response Expenditure, in the La Cresta Community, in the Santa Rosa Plateau. The emergency response expenditure was approved by Jay Orr, Acting Emergency Services Coordinator.

  
John R. Hawkins, County Fire Chief

FINANCIAL  
DATA

Current F.Y. Total Cost: \$ 53,488  
Current F.Y. Net County Cost: \$ 53,488  
Annual Net County Cost: \$

In Current Year Budget: YES  
Budget Adjustment: NO  
For Fiscal Year: FY 11/12

SOURCE OF FUNDS: 100% General Funds

Positions To Be Deleted Per A-30 ☐  
Requires 4/5 Vote ☐

C.E.O. RECOMMENDATION:

APPROVE

BY: 

Robert Tremaine

County Executive Office Signature

Dep't Recomm.: ☐ Consent ☐ Policy ☒  
Per Exec. Ofc.: ☐ Consent ☐ Policy ☒

Prev. Agn. Ref.: 12/22/10 1.0

District: 3

Agenda Number:

3.20

**BACKGROUND: (continued)**

As a result of illegal grading in the La Cresta community, emergency interventions were required to control and prevent the erosion of sediment, debris and boulders which was likely to result from illegal grading operations that occurred during the last several years. A number of property owners failed to comply with previous enforcement notices issued by the County and State to implement effective Best Management Practices (BMP) on-site.

The storms in December 2010 caused damage to nine separate properties within the community of Bear Creek, Murrieta, due to illegal grading and lack of effective measures to control erosion and sediment from the disturbed area. Storms in 2009 impacted both City of Wildomar and City of Murrieta properties. On Tuesday, February 22, 2011, State staff met with County staff on-site to determine the site's ability to control a discharge for the rain event that was forecasted to occur on Friday, February 25. The property owner's lack of willingness to comply with correction notices and issuances of Notices of Violation required immediate action to resolve the site condition. Emergency erosion and sediment control BMP's were implemented as well as de-silting sediment basins. The sediment basins were over full with sediment to the highest point on the whistle, rendering them ineffective; grading was required to protect residences downstream from the project.

The property owners who posed the most significant risk to the lower lying neighborhood failed to comply with numerous requests for corrective action or Notices of Violation. However, three property owners stepped in to make appropriate changes deemed necessary by State and County staff. Emergency measures were required and were put into action, beginning with de-watering two properties and implementing BMP's on the remainder of the properties. Roads, lots and basins required grading and/or sediment removal or compaction. Immediate emergency measures were mandated to mitigate estimated rain amount volumes, as well as additional permanent remedies that would be needed following the rain event.

It was necessary to address the damage caused by the December rain events and the demand by the San Diego Regional Board to take action on specific lots which needed corrective action to prevent further damage and protect public safety in the event of another rain event, which was predicted for February 25, 2011. It was necessary to give immediate direction to the contractor to do the work before the predicted rain event, as no work could be performed, due to safety concerns, once the rain event began. The work was performed under the direction of County Transportation and Land Management Agency with approval from the County Executive Office.

**EXHIBIT A  
EMERGENCY JUSTIFICATION**

This questionnaire has been designed to assist County of Riverside staff in providing information necessary in the processing of emergency requests for the purchase of goods, services, or equipment. Please complete and forward to the Director or Assistant Director in Central Purchasing. If more space is needed, please attach additional page(s).

**Emergency procurement shall be defined as a sudden and/or unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss of impairment of life, health, property, or essential public services.**

Requisition No. \_\_\_\_\_

1. State the goods, services, or equipment which will mitigate the emergency situation:

As a result of illegal grading in the La Cresta community in the Santa Rosa Plateau, emergency interventions were required to control and prevent the erosion of sediment, debris and boulders. Grading and drain placement services were procured from Inland Erosion Control Inc., by TLMA.

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\_\_\_\_\_

\_\_\_\_\_

2. State the reason for the emergency purchase by explaining what the emergency is and/or what caused the emergency situation:

It was necessary to address the damage caused by the rain events on December 21 – December 27, 2010 and the demand by the San Diego Regional Board to take action specific lots which needed corrected action to prevent further damage and protect public safety in the event of more rain, which was predicted for February 25, 2011.

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\_\_\_\_\_

\_\_\_\_\_

3. State the financial or operational damage/risk that will occur if needs are not satisfied immediately:

The last storm in December 2010 caused damage to nine separate properties within the community of Bear Creek, Murrieta, due to illegal grading and lack of effective measures to control erosion and sediment from the disturbed area. Storms in 2009 impacted both City of Wildomar and City of Murrieta properties. On Tuesday, February 22, 2011, State staff met with County staff on-site to determine the site's ability to control a discharge for the rain event that was forecasted to occur on Friday, February 25. The property owner's lack of willingness to comply with correction notices and issuances of Notices of Violation required immediate action to resolve the site condition. Emergency erosion and sediment control BMP's were implemented as well as de-silting sediment basins. The sediment basins were over full with sediment to the highest point on the whistle, rendering them ineffective; grading was required to protect residences downstream from the project.

4. State why the needs were not or could not be anticipated, so that the goods/services could have been purchased following standard procedures:

It was necessary to give immediate direction to the contractor to do the work before the predicted rain event, as no work could be performed, due to safety concerns, once the rain event began.

5. State the reason and process used for selecting the vendor (Attach all quotes/proposals received, if applicable):

Vendor was selected by TLMA. It was the same vendor used for other jobs in the previous year.

  
Department Head Signature


  
Date

Purchasing Department Comments:

Approve

*Requires Board of Supervisors Approval*  
☒ Approve with Condition/s

Disapprove

  
Purchasing Agent

  
Date