

FORM APPROVED COUNTY COUNSEL 4/4/16
 BY: GREGORY P. PRIAMOS DATE

Departmental Concurrence

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF SUPERVISORS
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

316 B



FROM: Jason Uhley, General Manager-Chief Engineer

SUBMITTAL DATE:
 August 23, 2016

SUBJECT: Removal of Sand and Gravel Surplus Materials from District Facilities; All Districts [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Authorize the General Manager-Chief Engineer or his designee to publically solicit proposals for the removal of surplus sand and gravel materials from the District's facilities to ensure that the corresponding per cubic yard permit fees are dictated by prevailing market conditions.
2. Authorize the General Manager-Chief Engineer or his designee to accept and approve the proposals.

BACKGROUND:

Summary

Approval of this item will allow the General Manager-Chief Engineer or his designee to publically advertise, solicit, and accept proposals, in order to establish the per cubic yard permit fee for the removal of surplus material (e.g., sand, gravel, rock) from District facilities by allowing the market to dictate the amount of soil removal fees that an applicant can pay to the District.

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 ZS:rlp

[Signature]
 JASON E. UHLEY
 General Manager-Chief Engineer

| FINANCIAL DATA | Current Fiscal Year: | Next Fiscal Year: | Total Cost: | Ongoing Cost: | POLICY/CONSENT (per Exec. Office) |
|-------------------|----------------------|-------------------|-------------|---------------|--|
| COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 | Consent <input type="checkbox"/> Policy <input type="checkbox"/> |
| NET DISTRICT COST | \$ 0 | \$ 0 | \$ 0 | \$ 0 | |

SOURCE OF FUNDS:

Budget Adjustment:
 For Fiscal Year: n/a

C.E.O. RECOMMENDATION:

APPROVE
[Signature]
 BY: Steven C. Horn

County Executive Office Signature

MINUTES OF THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT

On motion of Supervisor Tavaglione, seconded by Supervisor Benoit and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: August 23, 2016
 xc: Flood

Kecia Harper-Ihern
 Clerk of the Board
 By: *[Signature]*
 Deputy

- A-30
- Positions Added
- 4/5 Vote
- Change Order

Prev. Agn. Ref.: | District: All | Agenda Number:

11-5

**SUBMITTAL TO THE FLOOD CONTROL AND WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FORM 11: Removal of Sand and Gravel Surplus Materials from District Facilities

District: All [\$0]

DATE: August 23, 2016

PAGE: Page 2 of 2

BACKGROUND:

Summary (continued)

Over the years the District has benefited from the demand of the construction industry for the sand and gravel materials inside the District's facilities. Many of these permits have helped keep many District facilities cleaned and maintained without cost to the District. However, the situation in the economy has changed. As the economic environment slows and the construction industry is declining, new soil removal permit applications have virtually stopped. Currently, the District has a minimum flat fee of \$0.35 per cubic yard of material. This fee is on top of the encroachment permit fees and does not take into consideration the location of the material, type of material, or economic conditions. If these factors are unfavorable, the District must either remove the material using its own forces or must pay to have the material removed. Therefore, the District is proposing to revise this process and allow the market to dictate the fee for sand and soil removal. By advertising the material, it is anticipated that the market will set the price and stimulate the demand for the material, thus saving the District from having to spend money to remove the materials as part of routine or emergency maintenance work. The District will continue to charge the applicable Permit Filing and Inspection Fees to the successful bidder regardless of the winning proposal amount as this is necessary to recover costs for issuing the permit and ensuring that the materials are removed appropriately.

Bidders will be required to submit a proposal typically one to two weeks after solicitation. Proposals will typically include but not be limited to the quantity of material they can remove, their unit price, past performance with the District, if any, and anticipated duration it will take them to remove the material. The District will use these factors to evaluate and select the contractor who can provide the best service to the District. In the event of emergencies, the General Manager-Chief Engineer can reduce the proposal period as needed to expedite the removal of the material. If, during the advertisement period, another County/City Public Agency and/or Department contacts the District regarding their need for the material, they will be given priority over private contractors.

If, after advertisement, no proposals are received, the material will be left on an availability list for a period of six (6) months, during which time the General Manager-Chief Engineer or his designee can negotiate with any new contractor(s) to allow the removal of the materials at the best possible price. If no new contractor can be located within the six (6) months period, the District may decide to advertise again.

SUPPLEMENTAL:

Additional Fiscal Information

This item will have minimal impact on the District. The District will benefit from the maximum achievable reduced costs of cleaning and maintaining these facilities. The proposed method will create a more competitive environment among all bidders and result in faster and more economical removal of material. The annual revenue will fluctuate depending on the demands of the construction industry, the severity of the storm season and the amount of material deposited into the District facilities.

Attachment:

Procedure for Removal of Sand and Gravel Surplus Materials from District Facilities

**Riverside County Flood Control
and Water Conservation District**

Procedures for the Removal of Sand and Gravel Surplus Materials from District Facilities

Effective Date: August 23, 2016

Purpose:

To establish procedures for the implementation of awarding authorizations for the removal of surplus materials from Riverside County Flood Control and Water Conservation District (District) facilities to contractors submitting appropriate proposals.

Procedures:

Surplus material consists of sand, gravel, boulders/cobbles, dirt, vegetation and other miscellaneous debris.

Bidders/contractors will be required to submit a proposal, typically one to two weeks after solicitation for proposals have been requested/advertised by the District. Acceptable proposals will typically include the quantity of material in cubic yards the bidder can remove, bidding unit price per cubic yard of material and the anticipated duration of removal of the material. These factors along with the bidder's past performance with the District, compliance with Regulatory Permits and requirements, and jurisdictional City or community permits (haul routes) where the project is located will be used to evaluate and select the contractor(s) who can provide the best service to the District. In the event of emergencies, the General Manager-Chief Engineer or his designee can set the proposal period as needed to expedite removal of the material.

If no proposals are received after solicitation for proposals have been requested/advertised, the materials will be advertised on an availability list for a period of six (6) months, during which time the General Manager-Chief Engineer or his designee can negotiate with any contractor(s) to facilitate the removal of the materials. If no contractor submits a proposal within the six (6) month period, the materials may be advertised again.

Once a proposal is selected, the winning contractor will need to submit an Encroachment Permit (EP) application with all of the appropriate documents and fee (insurance, haul route, and any required Regulatory approvals and/or assessments). Please refer to the following link for the EP application.

<http://rcflood.org/Downloads/Right%20of%20Way/Application%20for%20Encroachment%20Permit.pdf>

A zero (\$0) dollar per cubic yard of material bid can be accepted if removal of the materials serves the District's purpose such as restoring capacity to a basin or channel. Processing fee for the EP would still be required. No negative bids will be accepted.

FORM APPROVED COUNTY COUNSEL
BY:  DATE: 8/23/16
NEAL R. KIPNIS