



Item Number: 10

**City Council / Board of Directors**

**Written Communications**

**Meeting of: June 20, 2023**

**Submitted By:**

Doug Mathews, Director of Public Works and Water

**Subject:**

Award Construction Agreements to Kelley's Underground Construction Inc., High Desert Underground, Inc., and DDH Apple Valley Construction, Inc., for Qualified Emergency Water Contractor

**Recommendation:**

That the Honorable City Council and Victorville Water District Board of Directors (Board) award Construction Agreements for Qualified Emergency Contractor, Project CC23-082, by and between the Victorville Water District (District) and:

- (1) Kelley's Underground Construction Inc.,
- (2) High Desert Underground, Inc., and
- (3) DDH Apple Valley Construction, Inc.; and

By and between the City of Victorville and:

- (4) Kelley's Underground Construction Inc.
- (5) High Desert Underground, Inc.; and
- (6) DDH Apple Valley Construction, Inc.

**Fiscal Impact:**

The contracts being awarded propose encumbering and expending \$480,000 of total budgeted funds for Fiscal Year 2023-2024 with the District and the Public Works Department combined. The funds were budgeted in Fiscal Year 2023-2024 under the Victorville Water District and Public Works Department in the following account codes:

- 4100535 – 52440 – \$300,000
  - 4100535 – Water Fund, Field Services
  - 52440 – Infrastructure and Repairs
- 2025060 – 52300 - \$90,000
  - 2025060 – Public Works Fund, Storm Drain Operations
  - 52300 – Contract Services
- 4250700 – 52300 – \$90,000
  - 4250700 – Public Works Fund, Sanitary Sewer

- 52300 – Contract Services

**Strategic Plan Goal:**

This item aligns with Goal E, Invest in Infrastructure, which focuses on creating a healthy and livable community by maintaining the City's assets through investment in infrastructure and innovations. By having an emergency contractor available to assist staff during an emergency with water, sewer, and/or storm drain infrastructure, a healthy and livable community can continue to thrive for the City's residents.

**Background:**

The District and the Sanitary/Sewer and Storm Drain divisions of the Public Works Department occasionally use outside contractors to perform on-call and/or emergency work, generally due to a need for additional resources to complete competing tasks, or because specialized equipment or expertise are required for the job. The type of work required for the District includes repairs of water infrastructure necessary for water conveyance. The contractors will be expected to repair many types of water facilities, including but not limited to valves, water mains, and service lines.

The Sanitary/Sewer and Storm Drain divisions of the Public Works Department would require work consisting of the excavation, removal, and replacement of damaged and/or failed pipes. Additional types of infrastructure repairs may include repairs to lift/pump stations, manholes, concrete structures such as box culverts, storm drains, performance of bypass operations and providing traffic control in accordance with current Occupational Safety and Health Administration (OSHA) and Manual on Uniform Traffic Control Devices (MUTCD) requirements within City right-of-ways.

**Discussion:**

Staff conducted a competitive proposal solicitation using formal proposal procedures in accordance with Victorville Municipal Code Section 2.28.280. On March 10, 2023, the Notice of Inviting Proposals was emailed to potential bidders, posted on the City's website and on Ebidboard. Six proposals were submitted on April 13, 2023, by the following contractors: Kelley's Underground Construction Inc., Christensen Brothers General Engineering, Inc., DDH Apple Valley Construction Inc., Gentry General Engineering Inc., High Desert Underground, and Kirtley Construction, Inc dba TK Construction.

Each proposal submission was reviewed by a selection committee consisting of three representatives from the District. Based on the committee scoring selection criteria, Kelley's Underground Construction Inc., High Desert Underground and DDH Apple Valley Construction Inc. were determined to be the most qualified contractors to perform the work. The selection of the contractor to perform the work would be based on several factors such as their ability to respond quickly, experience with similar types of work, rates and equipment, and the qualifications of their staff. The maximum score allowed for all categories combined was 100 points. The following provides a summary of the rankings based on the scoring using the criteria outlined in the RFP.

	DDH	Kelley's	HDU	Kirtley	Gentry	Christensen
<b>Evaluator #1 Rating</b>	83	87	91	74	20	63
<b>Evaluator #2 Rating</b>	77	74	89	85	37	63
<b>Evaluator #3 Rating</b>	84	84	93	83	41	73
<b>Average</b>	81	82	91	81	33	66
<b>Overall Ranking</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>6</b>	<b>5</b>

The District and Public Works each wish to award separate contracts with each contractor. The District will award three (3) contracts for a not to exceed amount of \$100,000 per contractor for a total of \$300,000 and Public Works will award three (3) contracts for a not to exceed amount of \$60,000 per contractor for a total of \$180,000. The combined amount between both the District and Public Works will not exceed \$480,000.

The proposed contracts presented herein have been evaluated in accordance with the City of Victorville Municipal Code Section 2.28.100 & Section 2.28.040, to determine the “best value bidder” for the project. For this reason, staff is recommending that the Board and the City Council award two (2) construction agreements each to Kelley’s Underground Construction Inc., High Desert Underground and DDH Apple Valley Construction Inc., for the Qualified Emergency Water Contractor, Project CC23-082 in a combined, not to exceed amount of \$480,000.

Staff remains available for any questions the Board may have.

- Attachments:**
- A. Victorville Water District's Construction Agreements
  - B. Public Works' Construction Agreements
  - C. Proposals Received
  - D. Municipal Code Section 2.28.100
  - E. Municipal Code Section 2.28.040