



A Tradition of Stewardship  
A Commitment to Service

Agenda Date: 3/23/2021

Agenda Placement: 7D

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

---

**TO:** Board of Supervisors

**FROM:** Steven Lederer - Director of Public Works  
Public Works

**REPORT BY:** Sonja El-Wakil, Associate Engineer - (707) 259-8383

**SUBJECT:** Award of Contracts for 2020 Glass Fire Stockpiled Tree Debris Removal, RDS 20-45B & 2020 Glass Fire Tree Debris Removal, RDS 20-45C

---

### **RECOMMENDATION**

Director of Public Works requests the following:

1. Award of the contract for "2020 Glass Fire Stockpiled Tree Debris Removal Project," RDS 20-45B to The Original Mowbray's Tree Service of San Bernadino, CA. for their low base bid of \$15,000 and authorization for the Chair to sign the contract; and
2. Award of the contract for "2020 Glass Fire Felled Tree Debris Removal Project," RDS 20-45C to The Original Mowbray's Tree Service of San Bernadino, CA. for their low base bid of \$241,999 and authorization for the Chair to sign the contract.

### **EXECUTIVE SUMMARY**

This item is for approval of construction contracts for the removal of trees and tree debris as part of fire recovery in Napa County as a result of the 2020 Glass Fire. These trees were felled during the road opening phase of the fire recovery, but were unable to be removed during that phase, due to constrained resources. During the 2020 Glass Fire event, among other locations and types of damage, significant tree damage occurred along approximately 75 miles of County-maintained Roads. On October 1, 2020, the Board of Supervisors approved \$5,000,000 to start moving forward with response and recovery work in advance of receiving Federal Emergency Management Agency (FEMA) reimbursement. The projects entail the removal of debris from approximately 569 already felled trees along the road alignments within the County's right of way, and stockpiled debris at three locations which hold an estimated 27,900 cubic yards (CY) of tree debris.

On February 2, 2021, the Board of Supervisors approved advertising this project work for bids. Invitations for bids were published February 5, 2021. Bids were opened on February 25, 2021. Public Works received a bid protest for RDS 20-

45B from the second low bidder. After review of the protest and the low bidder's response, Public Works staff has determined, in consultation with County Counsel, that the protest does not warrant rejection of the low bid. Therefore, staff recommends award of the construction contract for RDS 20-45B and RDS 20-45C to the low bidder, The Original Mowbray's Tree Service out of San Bernardino. Approval of the requested actions today will start the process of clearing debris and also help position the County to receive State and/or Federal Disaster assistance reimbursement for this work.

### **FISCAL & STRATEGIC PLAN IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	<p>Fund 2040 - Subdivision 2040500 - Program 21058. Funds are being utilized in advance of receiving Federal Emergency Management Administration (FEMA) reimbursement. Budget Transfer for this item is included with the Mid-Year Budget Review Item coming from the County Executive Office on the same day.</p> <p>On October 1, 2020, the Board of Supervisors (Board) approved a budget transfer of \$5,000,000 from General Fund General Reserve funding to commence the recovery projects in advance of receiving Federal Emergency Management Administration (FEMA) and California Office of Emergency Services (CalOES) reimbursement. In that same approval, the funds were authorized to be appropriated to budgets as needed for swift fire recovery efforts, by the Purchasing Agent and the Auditor. The Program 21058 for all Glass Fire tree debris removal was increased to \$345,000 at that time from those funds to begin assessing the damages. The requested action today is to increase Program 21058 by \$366,247 to fully fund the recommended projects.</p> <p>The County has requested FEMA / CalOES funding, which should reimburse the County for approximately 94% of the allowable Projects costs, though there is no guarantee of this reimbursement. Once the County receives reimbursement from FEMA / CalOES, funds will be returned to the General Reserves.</p>
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The 2020 Glass Fire destroyed a surveyed 2,243 trees as well as approximately 27,900 cubic yards of tree debris along County roads. The trees that were damaged by the fire are either dead or dying and are considered a potential issue for public safety. Removal of the felled trees is necessary for repair and recovery along the roadways, as well as for public safety.
Is the general fund affected?	Yes
Future fiscal impact:	The projects are anticipated to be completed in Fiscal Year 2020-21.
Consequences if not approved:	If not approved, the proposed safety Projects will not be completed, resulting in potential issues to public safety.

County Strategic Plan pillar addressed: Due to the emergency nature of this work to maintain a safe public access on County maintained roads, these projects do not address elements of the County's strategic plan.

Additional Information:

### **ENVIRONMENTAL IMPACT**

**Consideration and possible adoption of a Categorical Exemption Class 1:** It has been determined that this type of work is considered Categorically Exempt from CEQA pursuant to Title 14 CCR Section 15269, Emergency Projects, which provides for the maintenance, repair, restoration, demolition, or replacement of property or facilities damaged or destroyed as a result of a disaster stricken area in which a state emergency has been proclaimed by the Governor [15269(a)]; and specific actions necessary to prevent or mitigate an emergency [15269(c)]. Additionally, as the project would replace existing public roadway infrastructure without expansion of service or use, it qualifies for a Class 1, Existing Facilities (Section 15301(c)) exemption.

### **BACKGROUND AND DISCUSSION**

On October 1, 2020, the Board of Supervisors (Board) approved a budget transfer of \$5,000,000 from General Fund General Reserve funding to commence all recovery and repair related to the 2020 Glass Fire. Delegation authority was given at that time to the Napa County Purchasing Agent and the Auditor to swiftly move forward with individual projects within that budget. On October 7, 2020, the program budget was established for the tree debris related to the 2020 Glass Fire damage. The Purchasing Agent signed a services agreement with California Tree and Landscape Consulting on October 26, 2020 in the amount of \$175,000 for the purpose of an independent assessment of all tree hazards within the County rights of way. That assessment was completed in December, 2020. On February 2, 2021, the Board approved the projects for advertising and bidding.

The trees that were damaged by the fire are either dead or dying and are considered a potential issue for public safety. The 2020 Glass Fire tree debris work is split into three projects.

1. Trees that were left standing and still need to be cut and removed (RDS 20-45A). Per the arborist review, there are 1,674 individually counted standing trees from the Glass Fire damage. Napa County is working in cooperation with CA Office of Emergency Services (CalOES) and CA Department of Resources, Recycling, and Recovery (CalRecycle) for aid in completion of the project RDS 20-45A. That multi-agency collaboration is ongoing. CalOES and CalRecycle have agreed to do the cutting and debris removal of the standing hazardous trees, saving the County approximately \$1.5 million in funding prior to FEMA reimbursement.
2. The immediately dangerous trees were felled as part of initial roadway clearing efforts and left to be collected with help from contractors. Some of the felled trees were compiled into consolidated stockpile locations (Project RDS 20-45B) while others were left along roadways (Project RDS 20-45C). The contracts are separated for expediency and to promote participation from smaller, minority, or women-owned businesses, in compliance with FEMA requirements. The two projects are:
  - a. 2020 Glass Fire Stockpiled Tree Debris Removal Project, RDS 20-45B for removal of an estimated cumulative total of 27,900 cubic yards (CY) of tree debris that have been stockpiled in three locations.
  - b. 2020 Glass Fire Felled Tree Debris Removal Project, RDS 20-45C for 569 previously felled and individually documented trees which were left along approximately 75 miles of county roadways (i.e. not stockpiled).

The three locations of stockpiled debris are:

DEER PARK ROAD AT INTERSECTION WITH MUND ROAD  
N FORK CRYSTAL SPRINGS ROAD & CRYSTAL SPRINGS ROAD (in use with a right of entry agreement with property owner in place)  
SILVERADO TRAIL SOUTH OF ZINFANDEL LANE

The affected roads are:

AETNA SPRINGS ROAD	GREENWOOD AVENUE	LOMMEL ROAD EXTENSION	ROSE HAVEN LANE
AZALEA SPRINGS WAY	HEITZ WAY	MANZANITA DRIVE	ROSSI ROAD
BAY STREET	HOWELL MOUNTAIN ROAD - PRIMARY	MAPLE LANE	SANITARIUM
CONN VALLEY ROAD	HOWELL MOUNTAIN - OLD	MARIPOSA DRIVE	SILVERADO TRAIL
CRYSTAL SPRINGS DRIVE	INK GRADE ROAD	MEADOWOOD LANE	SOUTH FORK DIAMOND MOUNTAIN ROAD
DEER PARK	KORTUM CANYON ROAD	MEADOWOOD ROAD	SPRING MOUNTAIN
DIAMOND MOUNTAIN ROAD	LANGTRY	MUND ROAD	SUMMIT LAKE DRIVE
DUNAWEAR LANE	LARKMEAD	NORTH FORK CRYSTAL SPRINGS ROAD	SUNNYSIDE ROAD
GIST ROAD	OLD LAWLEY TOLL ROAD	OAK STREET	WHITE COTTAGE SOUTH/NORTH
GLASS MOUNTAIN CROSSROAD	LODI LANE	PATCHATEAU ROAD	WHITE SULPHUR SPRINGS
GLASS MOUNTAIN ROAD	LOMMEL ROAD	PINE PLACE	

The projects before the Board today are to remove the stockpiled tree debris (Project RDS 20-45B) as well as the felled-in-place trees that were unable to be hauled to the stockpiles during the initial phase of recovery (Project RDS 20-45C). On February 5, 2021, The Board approved plans and specifications and authorized advertisement of the two tree debris construction projects RDS 20-45B and RDS 20-45C. Bids for both projects were received and opened on February 25, 2021, with the following result:

2020 Glass Fire Stockpiled Tree Debris Removal Project. RDS 20-45B

Bidders	Base Bid
The Original Mowbray's Tree Service San Bernadino, CA	\$15,000
Kingsborough Atlas Tree Santa Rosa, CA	\$91,540
Community Tree Service Inc. Royal Oaks, CA	\$125,000
ArborWorks, Inc. Oakhurst, CA	\$155,559
Coleman Environmental Engineering Upper Lake, CA	\$390,525
The Professional Tree Care Co. Berkeley, CA	\$400,400

Piazza Construction Penngrove, CA	\$521,070
Sierra Mountain Construction Sonora, CA	\$1,038,000

2020 Glass Fire Felled Tree Debris Removal Project, RDS 20-45C

Bidders	Base Bid
The Original Mowbray's Tree Service San Bernadino, CA	\$241,998
Rancho Tree Service Bakersfield, CA	\$274,437
Community Tree Service Inc. Royal Oaks, CA	\$349,097
ArborWorks, Inc. Oakhurst, CA	\$376,158
Bay Area Tree Specialists San Jose, CA	\$380,147
The Professional Tree Care Co. Berkeley, CA	\$459,680
Sierra Mountain Construction Sonora, CA	\$477,915
Kingsborough Atlas Tree Surgery Santa Rosa, CA	\$484,546
Piazza Construction Penngrove, CA	\$528,423
P31 Enterprises, Inc. Oroville, CA	\$528,821
International Environmental Corp Canyon Country, CA	\$535,841
Allard General Engineering Calistoga, CA	\$544,000

For Project RDS 20-45B, the lowest responsive base bid of \$15,000 is from The Original Mowbray's Tree Service (Mowbray) of San Bernadino, CA. Public Works received a bid protest on RDS 20-45B from the second lowest bidder, Kingsborough Atlas Tree (Atlas). Public Works staff, in consultation with County Counsel, concluded that the protest issues submitted by Atlas were either resolved through California Public Contracting Code, or determined to be not significant to support removal of the low bidder.

For Project RDS 20-45C, the lowest responsive base bid of \$241,997 is from The Original Mowbray's Tree Service of San Bernadino, CA. The total project budget for both projects, with the addition of engineering design, construction management, project management and contingency is \$711,247. Approval of the requested actions today will start the

process of clearing debris and also help position the County to receive State and/or Federal Disaster assistance reimbursement for this work. As with all FEMA projects, the work must be performed and paid for in advance of receiving Federal Emergency Management Administration (FEMA) reimbursement. It is anticipated that 94% of the construction costs will ultimately be reimbursed by FEMA/CalOES and their approval of scope prior to award is being requested.

The Original Mowbray's Tree Service is not a local vendor however, the Public Contract Code and Federal Code requires that the construction contract be awarded to the lowest responsible bidder regardless of whether the low bidder is local or not. Staff reached out to the local construction contractor community by advertising the request for bids in the Napa Valley Register and the Solano-Napa Builder's Exchange, and by posting on the County website. Staff also sent "Notices to Contractors" to the local construction community. Once the construction contract is awarded the County will contact the Napa County Workforce Investment Board (WIB) and require the successful contractor to contact the WIB and let the WIB know of its hiring needs.

### **SUPPORTING DOCUMENTS**

- A . Project Budget\_RDS20-45B&C
- B . Construction Contract RDS20-45B
- C . Construction Contract RDS20-45C

CEO Recommendation: Approve

Reviewed By: Susan Kuss