



STAFF REPORT

CITY of YORBA LINDA

PUBLIC WORKS DEPARTMENT

DATE: JUNE 7, 2022

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: JAMIE LAI, P.E., PUBLIC WORKS DIRECTOR/CITY ENGINEER

SUBJECT: AWARD OF PROJECT MANAGEMENT, GRANT MANAGEMENT AND CONSULTING SERVICES FOR SAFETY MITIGATION EFFORTS RELATED TO THE SAFETY ELEMENT UPDATE, LOCAL HAZARD MITIGATION PLAN, AND CAL FIRE – FIRE PREVENTION GRANT, INCLUDING THE EMERGENCY OPERATIONS PLAN UPDATE

RECOMMENDATION

It is recommended that the City Council award a Professional Services Agreement for project management, grant management and consulting services for all safety mitigation efforts to Michael Baker Int., related to the following in the amount of \$471,880:

- Safety Element Update,
- Local Hazard Mitigation Plan, and
- Cal Fire – Fire Prevention Grant, including the Emergency Operations Plan (EOP) Update

It is also recommended that the City Council authorize expenditures of up to \$70,782 (15% of the agreement value) in total contract contingencies for potential additional services and unanticipated work that may arise during the course of work.

BACKGROUND

Within the last two (2) years the City has applied for three stand-alone city-wide safety and land use mitigation grants and was fortunate to be awarded all three:

1. The Safety Element (an element of the General Plan) will be funded by the Local Early Action Planning (LEAP) Grant from the California Department of Housing and Community Development (HCD). This grant was obtained by the Community Development Department.
2. The Local Hazard Mitigation Plan (LHMP), applied for by the Administration Department, will be funded by the Governor's Office of Emergency Services (Cal OES), a grant sub-award by means of the U.S. Department of Homeland Security, Federal Emergency Management Agency (FEMA).
3. The Cal Fire – Fire Prevention Grant (including the Emergency Operations Plan Update) was obtained by the Public Works Department and will be funded by the State of California Department of Forestry and Fire Protection (Cal Fire).

DISCUSSION

Though each of the city-wide safety focused projects were applied for and awarded separately by the various City Departments, it was determined that each project had many tasks in their scope of work that would overlap or reference each other for execution. It was also concluded that each of the grant timelines correlated, thus allowing staff to consider coordinating the various subset of projects strategically in order to avoid duplicating efforts. The first effort was to combine all three subset projects into a single Request for Proposal (RFP). The intent was to receive bids from one consulting firm that had the same vision and capabilities to do all three projects without duplicating efforts and amounting to more costs. With one consultant managing all of these safety mitigation focused grant projects the goal is to have a consistent and thorough over-all plan guiding the City team in order to help keep the residents safe and informed. It would allow the City the opportunity to receive a better economy of scale, a proportionate saving in costs gained by an increased number of tasks in which to bid.

The RFP was released March 28, 2022, with postings on the City's website and Quest CDN an online bidding service. Additionally, invitations were sent to six (6) known experienced and qualified land use and/or safety mitigation firms. A pre-bid meeting was held virtually on April 4, 2022, with 5 firms represented. Ultimately, 1 firm, Michael Baker Int. submitted a bid by the deadline of April 21, 2022. Michael Baker has past experience working on projects of similar scope and nature and its references have affirmed its expertise. Michael Baker's proposal demonstrated an understanding of the detailed coordination needed to ensure that the various subset projects completions could be accomplished within the time frame allowed and within constraints set forth in the project specifications. The project manager(s), inspectors and biologists will be responsible for ensuring that the projects are completed within the individual scopes of work. Additionally, they are to ensure that the grants are managed appropriately and within the guidelines and framework legally required by each of their funding sources, whether it is the State requirements or Federal requirements.

The scope of work for each of the subset projects can be summarized as follows and reviewed in detail in the attached agreements.

Scope #1 General Plan – Safety Element (Attachment A):

As part of the General Plan Housing Element, the Safety Element is required to be reviewed and updated as necessary to address the risk of fire for land classified as State Responsibility Areas (SRA) and land classified as Very High Fire Hazard Severity Zones (VHFHSZ). (Gov. Code, § 65302(g)(3).) It shall include goals, policies, and objectives that protect the community from the unreasonable risk of wildfire. (Gov. Code, § 65302(g)(3)(B).) The Safety Element shall also attach or reference any fire safety plans or other documents adopted by the city or county that fulfill the goals and objectives or contain the information required above. (Gov. Code, § 65302(g)(3)(D).) This might include Local Hazard Mitigation

Plans, Unit Fire Plans, Community Wildfire Protection Plans, Emergency Operations Plan, or other plans.

DELIVERABLE: Final Approved Safety Element Update

Scope #2 Local Hazard Mitigation Plan (Attachment B):

One of the required General Plan elements is the *Safety Element*, which identifies potential natural and man-made safety risks (e.g., fire, flood, landslide, etc.) and describes the City's emergency and disaster preparedness programs. The Safety Element relies on information contained in the City's Local Hazard Mitigation Plan (LHMP) which identifies risks and vulnerabilities from natural disasters and develops long-term strategies for protecting people and property from future hazardous events. FEMA approval of a City's LHMP establishes eligibility for participation in federal mitigation grant programs. Mitigation grant programs fund projects that lessen the impact of disasters. For jurisdictions that receive approval of a LHMP and who wish to continue their eligibility for mitigation grant programs, FEMA requires LHMP updates every five years. The City does not have an LHMP so this will be a new guiding document which requires final approval by FEMA.

DELIVERABLE: Final FEMA and Cal OES Approved Local Hazard Mitigation Plan

Scope #3 EOP Update (Part of Attachment C – Cal Fire Grant):

The consultant will be responsible for gathering important information on city infrastructure, resources, and contracted services in order to ensure, upon completion, an updated, comprehensive emergency operations plan that adheres to the fundamentals of the National Incident Management System (NIMS) and incorporates the State's Standardized Emergency Management System (SEMS) while meeting the requirements of California Office of Emergency Services' (CalOES) planning guidance as outlined in the 2020 Emergency Plan Review Crosswalk. The EOP will assign responsibility to organizations and individuals for carrying out specific actions at projected times and places in an emergency that exceeds the capability or routine responsibility of any one agency, e.g., our contracted emergency service providers. It will set forth lines of authority, and organizational relationships, and shows how all actions will be coordinated. Additionally, it will identify personnel, equipment, facilities, supplies, and other resources available within the jurisdiction, or by agreement with other jurisdictions, for use during response and recovery operations. The updated EOP will provide a basis for our jurisdiction's coordinated actions before, during and after a disaster. The primary purpose of the EOP shall be to outline our all-hazard approach to emergency operations to protect the safety, health, and welfare of its citizens.

DELIVERABLE: Final Approved EOP

Scope #4 Cal Fire – Fire Prevention Grant (Attachment C):

Coordinate and manage the City’s “Yorba Linda Fuel Reduction Project”. The project performance period is to be completed by March 15, 2025*. The City of Yorba Linda proposed implementing an integrated fuel reduction project in seven strategic sites to reduce the risk of wildfire to State Responsibility Areas (SRA). The integrated project includes animal (*i.e.*, goat, sheep) grazing, hand crews, and mechanical abatement depending on slope, accessibility, and density. An estimated 78 acres based on surface area will be treated. This integrated vegetation removal task will be bid separately by the City. Once integrated fuel reduction work is awarded, it is expected that the consultant will manage the contract moving forward and inspect the sites to ensure that the fuel reduction contractor adheres to the timeline and treatment plan outlined in the grant scope of work.

DELIVERABLES: The proposal includes a milestone schedule of the deliverables outlined in the scope of the grant. By March 2025*, consultant to ensure Cal Fire approval and grant is closed out.

*As addressed in the schedule there is the potential to extend the activities to Year 4 only if CAL FIRE awards grant through March 26, 2026. This extension could be requested towards the end of year three. This additional year would be intended for the fuel reduction activities related to a separate contract issued by the City. The consultant’s responsibility would be to continue Education and Community Engagement and Project Management through the ultimate close out of the grant.

CITY RESPONSIBILITIES:

- The integrated fuel reduction portion of the project includes animal grazing, hand crews, and mechanical abatement depending on slope, accessibility, and density. An estimated 78 acres based on surface area will be treated. This integrated vegetation/fuel removal task will be bid separately by the City in early summer. Once an integrated fuel (vegetation) contract is awarded, it is expected that the consultant will manage the contract moving forward.
- The grant also includes developing wildfire Evacuation Plans for at-risk areas and developing a Restoration and Sustainability Plan, with both of these tasks done by in-house staff but reviewed by and managed by the consultant.

FISCAL IMPACT

Sufficient funds are budgeted (or scheduled to be budgeted) in the FY2022-23 budget and eligible for grant reimbursement for and within the following subset projects for the contractual services and associated contingencies:

Safety Element Update:

Misc. Consultant Service Account (1010220-431950):

Scope award amount of \$18,810 (plus additional 15% contingency amount of \$2,821.50)

- Reimbursement Funding Source – Local Early Action Planning (LEAP) Grant from the California Department of Housing and Community Development (HCD).

Local Hazard Mitigation Plan:

Misc. Contractual Service Account (1010140-433950):

Scope award amount of \$111,950 (plus additional 15% contingency amount of \$16,792.50)

- Reimbursement Funding Source – Cal OES (Grant # 059-86832-00) a grant subaward by means of FEMA (grant award amount is \$112,500) 1015320-355010.
 - The LHMP has a 25% local match funding requirement of \$37,500 which is being requested as part of the FY 2022-23 mid-term budget staff report being taken before Council on June 21st, 2022.

Cal Fire – Fire Prevention Grant, including the Emergency Operations Plan Update:

Capital Improvement Plan Account (LI221007):

Scope award amount of \$341,120 (plus additional 15% contingency amount of \$51,168)

- Reimbursement Funding Source – State of California Department of Forestry and Fire Protection (Cal Fire) (Grant agreement – 5GG20162)

ALTERNATIVES

Direct staff to reject the bid and reauthorize the bid process. However, doing so will put the City at risk for not meeting the deadlines outlined in the grant agreements and thus losing grant eligibility status.

ATTACHMENTS

A - Safety Element Update Agreement with Michael Baker Int.

B - Local Hazard Mitigation Plan Agreement with Michael Baker Int.

C - Cal Fire – Fire Prevention Grant, including Emergency Operations Plan Update with Michael Baker Int.

D - Michael Baker Int. Proposal and Bid Cost
