



Office of the City Manager

02

RECESS ITEM
CONSENT CALENDAR
April 14, 2020

To: Honorable Mayor and Members of the City Council
From: Dee Williams-Ridley, City Manager
Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront
Subject: Contract: Lind Marine for Removal of Derelict and Abandoned Vessels at the Berkeley Marina

RECOMMENDATION

Adopt a Resolution ratifying the action taken by the City Manager or her designee during recess to execute a contract and any amendments with Lind Marine for the removal and disposal of derelict and abandoned vessels at the Berkeley Marina in an amount not-to-exceed of \$104,400; and authorize a contingency in the amount of \$38,600.

FISCAL IMPACTS OF RECOMMENDATION

In 2019, the Parks, Recreation, and Waterfront Department received a grant in the amount of \$130,000 from the California Division of Boating and Waterways (DBW) to remove abandoned vessels that requires a local match of 10% (\$13,000) (Resolution No. 68,791-N.S. On March 26, 2019). Grant funds have been budgeted in account code 607-52-544-592-0000-000-472-612990-PRWWF20006, and the local match has been budgeted in the Marina Fund account code 608-52-544-592-0000-000-472-612990-PRWWF20006. These funds, totaling \$143,000, will be appropriated as part of the Third Amendment to the FY 2020 Annual Appropriations Ordinance in May 2020.

Through a competitive Request For Proposal (RFP) process, Lind Marine was selected to remove and dispose derelict and abandoned vessels at the Berkeley Marina a cost of \$104,400. The remaining grant funding and local match totaling \$38,600 will act as a contingency to cover unforeseen circumstances and future abandoned vessel removals that arise between now and the expiration of the grant in September 30, 2021.

CURRENT SITUATION AND ITS EFFECTS

There are currently 21 vessels at the Berkeley Marina that were either abandoned by their owners, or liened and retitled to the City in accordance with California statutes for non-payment of dockage fees. These vessels occupy slips in the Berkeley Marina that could otherwise provide recreational opportunities for Berkeley residents and generate revenue for the City. The vessels have virtually no value due to age and neglect, and

most require regular dewatering by Marina staff and are in danger of sinking. In February of 2019, the City conducted a competitive RFP process to obtain services for this project, and received four proposals on April 2, 2019. The bid of Lind Marine was determined to best meet the requirements as set out in the RFP. Contingency funds will be used to remove additional abandoned vessels that become abandoned in the Marina between now and September 30, 2021.

BACKGROUND

Responsibility for derelict and abandoned vessels, unfortunately, often falls on public agencies. For the past 20 years, the Division of Boating and Waterways has provided grant funding assistance to public agencies to properly remove, store, and dispose of abandoned, wrecked, or dismantled vessels or any other partially submerged objects that pose a substantial hazard to navigation, from navigable waterways or adjacent public property, or private property with the landowner's consent. Execution of this contract will allow the City to properly remove and dispose of 21 vessels that pose a potential environmental hazard to our local waters, and serve as a blight at the Berkeley Marina.

ENVIRONMENTAL SUSTAINABILITY

Derelict, abandoned, and sunken vessels pose a navigational and environmental hazard to the Bay waters at the Berkeley Marina. Removal and proper disposal of these vessels contributes to the improvement of water quality of the waters of the Bay.

RATIONALE FOR RECOMMENDATION

The Parks, Recreation, and Waterfront Department has the primary responsibility for removing derelict and abandoned vessels from local waters. This contract will allow the City to safely remove these potential environmental and navigational hazards from the Berkeley Marina.

CONTACT PERSON

Alexandra Endress, Waterfront Manager, 981-6737
Sean Crothers, Harbormaster, 981-6744

Attachments:

1. Resolution

RESOLUTION NO. ##,###-N.S.

CONTRACT: LIND MARINE, INC. FOR BERKELEY MARINA DERELICT VESSEL
REMOVAL PROJECT SPECIFICATION NO. 19-11297-C

WHEREAS, there are currently 21 vessels at the Berkeley Marina that were either abandoned by their owners, or liened and retitled to the City in accordance with California statutes for non-payment of dockage fees; and

WHEREAS, these vessels occupy slips in the Berkeley Marina that could otherwise provide recreational opportunities for Berkeley residents and generate revenue for the City. The vessels have little or no value due to age and neglect, and many are in danger of sinking and require regular dewatering by Marina staff; and

WHEREAS, in 2019, the Parks, Recreation, and Waterfront Department received a grant in the amount of \$130,000 from the California Division of Boating and Waterways (DBW) to remove abandoned vessels that requires a local match of 10% (\$13,000) (Resolution No. 68,791-N.S. on March 26, 2019). Grant funds have been budgeted in account code 607-52-544-592-0000-000-472-612990-PRWWF20006, and the local match has been budgeted in the Marina Fund account code 608-52-544-592-0000-000-472-612990-PRWWF20006. These funds, totaling \$143,000, will be appropriated as part of the Third Amendment to the FY2020 Annual Appropriations Ordinance; and

WHEREAS, in February of 2019, the City conducted a competitive RFP process to obtain services for this project, and received four proposals on April 2, 2019. The bid of Lind Marine was determined to best meet the requirements as set out in the RFP and will perform the work for the contract amount of \$104,400. The remaining grant funding and local match totaling \$38,600 will act as a contingency to cover unforeseen circumstances and future vessel removal needs that arise between now and the expiration of the grant in September 30, 2021.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the Council ratifies the action taken by the City Manager or her designee to execute a contract and any amendments with Lind Marine in the amount not-to-exceed \$104,400, and that a contingency in the amount of \$38,600 is authorized. A record signature copy of said contract will be on file in the Office of the City Clerk.

