

July 19, 2022

C-14

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Adopt a Resolution authorizing the City Manager, or designee, to execute a contract, and any necessary documents including any necessary subsequent amendments, with Purifics Water, Inc., of London, Ontario (CAN), for the Commissioning and Startup of stormwater filtration equipment for the Long Beach Municipal Urban Stormwater Treatment Project, in an amount of \$146,480, with a 15 percent contingency in the amount of \$21,972, for a total contract amount not to exceed \$168,452, for a period of two years, with the option to renew for two additional one-year periods, at the discretion of the City Manager. (District 1)

DISCUSSION

City Council approval is requested to enter into a contract with Purifics Water, Inc. (Purifics), for the commissioning and startup of stormwater filtration equipment for the Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Project.

LB-MUST will consist of a stormwater treatment facility and a new wetland habitat area near the Shoemaker Bridge at 901 DeForest Avenue. The goal of LB-MUST is to improve Long Beach's water quality to benefit aquatic life and recreational beach activities. By capturing and cleaning urban stormwater runoff, LB-MUST will reduce pollution that would otherwise discharge into the Los Angeles River and enter Long Beach beaches. The recycled water from the facility will help sustain a wetland habitat. These activities ensure compliance with the City of Long Beach's (City) National Pollutant Discharge Elimination System (NPDES) permit.

On April 3, 2018, the City Council adopted Resolution No. RES-18-0049, which authorized the City Manager to execute a contract with Purifics for the purchase of stormwater filtration equipment for LB-MUST. Since then, the equipment has been delivered to the City's storage facility and paid in full. Construction of the LB-MUST Facility began in November 2021 and the stormwater filtration equipment will be moved to the LB-MUST Facility later this year where it will be installed, commissioned, and started-up.

The Purifics treatment system purifies water with a patented treatment system consisting of ceramic ultra-filtration (CUF) and photocatalytic (Photo-Cat) units, which significantly reduces the waste stream. CUF removes oil and grease, turbidity, and various heavy metals. The ceramic filters are made of silicon carbide, which are second only to a diamond in strength, and have a lifespan of over 25 years. The proprietary system self-cleans with a "dynamic

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shock” process, which minimizes the need for cleaning with chemicals. The system is fully-enclosed with no odors, minimizing any potential community impacts.

Contract No. 34917, for the purchase of the storm water filtration equipment, specified that on-site commissioning support would be contracted separately. Purifics’ storm water filtration equipment is a proprietary system protected by foreign and domestic patents. The equipment, commissioning and start-up services can only be provided by Purifics.

City Charter Section 1801 requires that contracts for City purchases be awarded to the lowest responsible bidder after a competitive bid process but allows for awards without a competitive bid process if accompanied by a Resolution adopted by the City Council. City staff negotiated a commissioning and startup proposal with Purifics for their proprietary system in the amount of \$146,480. Evaluation of the proposal found this fee reasonable and necessary for the successful operation of LB-MUST.

This matter was reviewed by Deputy City Attorney Vanessa S. Ibarra on June 29, 2022, Business Services Bureau Manager Tara Mortensen on June 24, 2022, and by Budget Management Officer Nader Kaamoush on June 30, 2022.

TIMING CONSIDERATIONS

City Council action is requested on July 19, 2022, to meet construction schedule requirements and ensure the successful operation of the LB-MUST Project.

FISCAL IMPACT

The total amount of the contract will not exceed \$168,452, inclusive of a 15 percent contingency. The LB-MUST Project’s total cost is estimated at \$43,682,650, including design, construction, construction management, inspection, labor compliance, and project oversight. The Public Works Department has sufficient appropriation to support this contract in the Capital Projects Fund Group.

The project is supported by \$24,000,000 from the California Department of Transportation grant funding, \$2,000,000 in grant funding from the Rivers and Mountains Conservancy, \$1,000,000 from the Harbor Department (Port) Community Infrastructure Grant Program, \$209,510 from General Capital Projects funds, \$1,000,000 Measure A funds, \$500,000 from State Coastal Conservancy Grant, \$200,000 from the Measure W SCWP Municipal Program Funds, \$10,800,000 Measure W Regional Program Funds, and \$3,973,140 from the State Water Resources Control Board’s Proposition 1 Storm Water Grant Program, which are currently appropriated in the Capital Projects Fund Group in the Public Works Department.

This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities. There is no local job impact associated with this recommendation.

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SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



ERIC LOPEZ
DIRECTOR OF PUBLIC WORKS

ATTACHMENT – Resolution

APPROVED:



THOMAS B. MODICA
CITY MANAGER

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RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONG BEACH AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH PURIFICS WATER, INC., WITHOUT ADVERTISING FOR BIDS, FOR THE COMMISSIONING AND STARTUP OF STORMWATER FILTRATION EQUIPMENT FOR THE LONG BEACH MUNICIPAL URBAN STORMWATER TREATMENT PROJECT, IN AN AMOUNT OF \$146,480, WITH A 15% CONTINGENCY IN THE AMOUNT OF \$21,972, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$168,452, FOR A PERIOD OF ONE YEAR, WITH THE OPTION TO RENEW FOR TWO ADDITIONAL ONE-YEAR PERIODS, AT THE DISCRETION OF THE CITY MANAGER

WHEREAS, the Charter of the City of Long Beach, Section 1801, permits the City Manager to enter into a contract on behalf of the City, in writing or otherwise, without advertising for bids, for services, supplies, materials, equipment or labor for actual emergency work when authorized by resolution; and

WHEREAS, on April 3, 2018, City Council approved the recommendation to execute a contract with Purifics Water, Inc. for the purchase of stormwater filtration equipment for the Long Beach Municipal Urban Stormwater Treatment (LB-MUST) Project; and

WHEREAS, the equipment has been delivered to the City's storage facility and paid in full. Construction of the LB-MUST Facility began in November 2021 and the equipment will be moved later this year where it will be installed, commissioned, and started-up; and

1 WHEREAS, Purifics Water, Inc. equipment is a proprietary system protected
2 by foreign and domestic patents; thus, commissioning and startup services for this
3 equipment can only be provided by Purifics Water, Inc.; and

4 WHEREAS, as a result, no useful purpose would be served by advertising
5 for bids and to do so would constitute an idle and useless act and unnecessary expenditure
6 of public funds;

7 NOW, THEREFORE, the City Council of the City of Long Beach resolves as
8 follows:

9 Section 1. The City Manager is hereby authorized to enter into a contract
10 with Purifics Water, Inc., without advertising for bids, for the commissioning and startup of
11 stormwater filtration equipment for the Long Beach Municipal Urban Stormwater Treatment
12 Project in an amount of One Hundred Forty-Six Thousand Four Hundred Eighty Dollars
13 (\$146,480) with a fifteen percent (15%) contingency of Twenty-One Thousand Nine
14 Hundred Seventy-Two Dollars (\$21,972) for a total not to exceed amount of One Hundred
15 Sixty-Eight Thousand Four Hundred Fifty-Two Dollars (\$168,452) for a period of one (1)
16 year, with option to renew for two (2) additional two-year periods, at the discretion of the
17 City Manager.

18 Section 2. This resolution shall take effect immediately upon its adoption
19 by the City Council, and the City Clerk shall certify the vote adopting this resolution.

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OFFICE OF THE CITY ATTORNEY
CHARLES PARKIN, City Attorney
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Lona Beach, CA 90802-4664

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I hereby certify that the foregoing resolution was adopted by the City Council
of the City of Long Beach at its meeting of _____, 2022 by the
following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

Recusal(s): Councilmembers: _____

City Clerk