



## Legislation Text

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**File #:** 10-0432, **Version:** 1

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Recommendation to authorize City Manager to increase Contract No. 31353 with United Storm Water, Inc. by \$787,000, for a total FY 2010 amount of \$1,398,498, for oil spill response at storm drain pump station SD23 located at the Port of Long Beach, and emergency response to floods throughout the City during the months of January and February 2010. (Citywide)

On December 14, 2009, oil was detected at storm drain pump station No. SD23 located at the Port of Long Beach near Berth B 78. To avoid a discharge of contaminated storm water into the harbor, the pump was shut down, and the City's contractor initiated cleanup operations. Through subsequent investigation and inspection by the Port, it was determined that conveyance of the oil to the pump station was through the Port's storm drain system underlying Pier B Street and the Pier B Rail Yard. As a result, the Port has agreed to pay for the City's contractor costs associated with this clean-up and, on March 11, 2010, the Board of Harbor Commissioners authorized funding in the amount of \$544,000 for the response under the City's contract. Since this cost was unforeseen and will exceed the current contract authority, the City's contract authority with United Stormwater, Inc., must be increased for the Port to be able to pay these invoices. Port staff is also seeking an additional \$50,000 in contract authority to have the contractor assist with cleaning of several Port-owned pump stations. The total contract authorization being requested by the Port is \$594,000.

In addition to the Port request, \$193,000 in additional authority is being requested for expenses incurred for the contractor's assistance to the City in responding to the extraordinary storm events of January and February 2010. A total of \$203,000 in costs, which include the additional contract costs identified above and City staff overtime expenses, have been submitted for reimbursement through both the California Emergency Management Agency and the Federal Emergency Management Agency.

The total additional authorization requested for the United Stormwater contract is \$787,000, for a revised FY 2010 contract amount of 1,398,498. The events described above were identified as extreme emergency cases that required the City's immediate response.

This matter was reviewed by Deputy City Attorney Amy R. Burton on March 30, 2010 and Budget Management Officer Victoria Bell on April 2, 2010.

### SUSTAINABILITY

Hazardous waste discharges are prohibited by the City's National Pollutant Discharge Elimination System permit issued by the Los Angeles Regional Water Quality Control Board. The City acted immediately to collect the oil that spilled to prevent further impact to the environment.

Action on this matter is requested on May 18, 2010 to allow payment of outstanding invoices for emergency responses.

On September 22, 2009, City Council awarded a storm drain maintenance and repair contract to United Storm Water, Inc., for a three-year term, in an annual amount of \$582,379, plus a 5 percent contingency of \$29,119, to maintain the City's storm drain system, including pump stations. The additional one-time authority requested will increase the authorization amount to \$1,398,498 for FY 2010. Of the \$787,000 increase, \$193,000 relates to emergency storm response and will be paid by Public Works General Fund operating budget. The remaining \$594,000 will be paid directly by the Port of Long Beach. There is no local job impact associated with this contract.

Approve recommendation.

Michael P. Conway  
Director of Public Works

NAME  
TITLE

APPROVED:

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PATRICK H. WEST  
CITY MANAGER