

## **Riverbottom Cleanup**

### REASON FOR INVESTIGATION

The 1995/96 Ventura County Grand Jury received a citizen's complaint (95-31) regarding the City of San Buenaventura's procedures for evaluating and awarding a contract for clearing storm debris.

### PROCEDURES FOLLOWED

- Interviewed the complainant.
- Interviewed the City of Ventura Director of Public Works.
- Reviewed the Administrative Regulations documents regarding bidding procedures in emergency situations.
- Reviewed the city notice Request for Proposal for the specific contract referenced by the complainant.
- Reviewed the city engineer's estimate of the job.
- Reviewed the Services Agreement, Certificate of Insurance and Workers Compensation Insurance.
- Reviewed the terms of payment to the contractor selected.

### FINDINGS

- City emergency purchases and contracts may be made without competitive bidding as a measure of expediency in order to:
  - a. Preserve life, health or property.
  - b. Upon an occurrence of a natural disaster.
  - c. Correct or forestall a shutdown to maintain essential public services.
  - d. Provide for other unforeseeable events.
- A scope of work was provided to all prospective bidders.
- A pre-bid conference and site walk through was conducted with each bidder.
- A city engineer made an estimate of the work to be done.
- Two contractors submitted bids in response to the Request for Proposal, however, the low bidder was not selected.
- Services Agreements, Certificates of Insurance and Workers Compensation Insurance were approved by the City Council.
- The City overpaid for the job by an amount in excess of \$100,000 dollars.
- The City does not intend to change the established bidding and evaluation procedures for emergency purchases and contracts.

RECOMMENDATION

The 1995-1996 Ventura County Grand Jury recommends that the City of San Buenaventura reevaluate the procedure for specifying, evaluating and awarding contracts of an emergency status in order to reduce, to the extent possible, the repetition of the unfortunate result of the river bottom contract.

RESPONSES REQUIRED

City of San Buenaventura City Council  
City of San Buenaventura Public Works