



Office of the City Manager

CONSENT CALENDAR

March 30, 2021

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 No. 32000219 Amendment: Lind Marine for Removal of Derelict and Abandoned Vessels at the Berkeley Marina

RECOMMENDATION

Adopt a Resolution authorizing the City Manager to amend Contract No. 32000219 with Lind Marine to remove and dispose derelict and abandoned vessels at the Berkeley Marina by increasing the contract amount by \$42,000; and authorizing additional contingency of \$4,200 for a total not-to-exceed amount of \$146,400; and contingency of \$42,800.

FISCAL IMPACTS OF RECOMMENDATION

In 2020, the Parks, Recreation, and Waterfront Department received a second SAVE grant in the amount of \$42,000 from the California Division of Boating and Waterways (DBW) that requires a local match of 10% (\$4,200) (Resolution No. 69,349-N.S. on April 14, 2020). These grant funds will be deposited into account code 607-52-544-592-0000-000-472-612990-PRWWF21006, and the local match has been budgeted in the Marina Fund account code 608-52-544-592-0000-000-472-612990-PRWWF21006. These funds, totaling \$46,200, will be appropriated as part of the Second Amendment to the FY 2021 Annual Appropriations Ordinance.

	<b>Contract</b>	<b>Contingency</b>	<b>Total</b>
<b>Current Amount</b>	\$104,400	\$38,600	\$143,000
<b>Proposed Amendment</b>	\$42,000	\$ 4,200	\$46,200
<b>Total</b>	<b>\$146,400</b>	<b>\$42,800</b>	<b>\$189,200</b>

CURRENT SITUATION AND ITS EFFECTS

In 2020, the City received a second SAVE grant from the California Division of Boating and Waterways in the amount of \$42,000 to remove derelict and abandoned vessels at the Berkeley Marina. A contract amendment with Lind Marine is required in order to perform the vessel removal services funded by the grant. This new round of funding will enable us to keep our docks clear of derelict vessels in the coming year, and build upon

the progress we made in removing twenty-one (21) derelict vessels via the 2019 SAVE Grant.

The current contract with Lind Marine has been extended to March 31<sup>st</sup> 2022, and will be extended once more to September 30, 2022 to coincide with expiration of the SAVE 2020 grant. Along with the not-to-exceed amount of \$146,600, \$42,800 will act as a contingency to cover future abandoned vessel removals and unforeseen circumstances and that may arise between now and the expiration of the SAVE 2019 grant in September 30, 2021 and the SAVE 2020 grant in September 30, 2022.

### BACKGROUND

Each year, approximately five to ten vessels get abandoned by their owners at the Berkeley Marina because they lack funds to repair the vessels or they lack funds to pay for their dockage fees. Due to the age and neglect of the vessels, they have no value, are not sea-worthy, and are likely to sink. These vessels occupy slips in the Berkeley Marina that could otherwise be used to generate dockage revenue for the City, and these vessels are a visual blight on our Marina and harm our reputation.

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.

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). The City conducted a competitive Request For Proposal (RFP) process in 2019 and Lind Marine was selected to perform these services.

### 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. The contract amendment will allow the City to continue to safely remove these potential environmental and navigational hazards from the Berkeley Marina.

### CONTACT PERSON

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

Attachments:  
1. Resolution

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

CONTRACT NO. 32000219 AMENDMENT: LIND MARINE, INC. FOR REMOVAL OF  
ABANDONED VESSELS AT THE BERKELEY MARINA

WHEREAS, each year, approximately five to ten vessels get abandoned by their owners at the Berkeley Marina because they lack funds to repair the vessels or they lack funds to pay for their dockage fees. Due to the age and neglect of the vessels, they have no value, are not sea-worthy, and are likely to sink. These vessels occupy slips in the Berkeley Marina that could otherwise be used to generate dockage revenue for the City, and these vessels are a visual blight on our Marina and harm our reputation; and

WHEREAS, responsibility for abandoned vessels, unfortunately, often falls on public agencies. For the past 20 years, the Division of Boating and Waterways has provided grants to public agencies, including the City of Berkeley, to remove, store, and dispose of abandoned, wrecked, or dismantled water 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; and

WHEREAS, the Parks, Recreation and Waterfront Department has the primary responsibility for removing derelict and abandoned vessels from local waters. By applying for SAVE grants, the City is able to substantially leverage our existing funding for these projects, and safely remove potential environmental and navigational hazards from our waters; and

WHEREAS, In 2020, the Parks, Recreation, and Waterfront Department received a second SAVE grant in the amount of \$42,000 from the California Division of Boating and Waterways (DBW) that requires a local match of 10% (\$4,200) (Resolution No. 69,349-N.S. on April 14, 2020). Grant funds will be deposited into account code 607-52-544-592-0000-000-472-612990-PRWWF21006, and the local match has been budgeted in the Marina Fund account code 608-52-544-592-0000-000-472-612990-PRWWF21006. These funds, totaling \$46,200, will be appropriated as part of the Second Amendment to the FY2021 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.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or her designee is hereby authorized to amend Contract No. 32000219 with Lind Marine to remove and dispose derelict and abandoned vessels at the Berkeley Marina by increasing the contract amount by \$42,000; and authorizing additional contingency of \$4,200 for a total not-to-exceed contract amount of \$146,400; and a total authorized contingency of \$42,800. A record signature copy of said contract will be on file in the Office of the City Clerk.