



Office of the City Manager

CONSENT CALENDAR  
January 21, 2025

To: Honorable Mayor and Members of the City Council  
From: Paul Buddenhagen, City Manager  
Submitted by: Scott Ferris, Director, Parks Recreation & Waterfront  
Subject: Contract No(s) 32400134, 32400135 and 32400145 Amendment: As-Needed Derelict Vessel/Debris Removal and Disposal Services at the Berkeley Marina

RECOMMENDATION

Adopt resolutions authorizing the City Manager to amend contract no. 32400134 with Lind Marine, contract no. 32400135 with Silverado Contractors, and contract no. 32400145 with Power Engineering to remove and dispose of derelict and abandoned vessels at the Berkeley Marina by increasing the contract spending amount by \$55,000 each for a total not-to-exceed spending amount of \$217,000, and extending the contracts to September 30, 2026.

FISCAL IMPACTS OF RECOMMENDATION

In 2024, the Parks, Recreation, and Waterfront Department received a SAVE grant in the amount of \$50,000 from the California Division of Boating and Waterways (DBW) that requires a local match of 10% (\$5,000). The City has three contractors that are available to perform the abandoned vessel removal work in a timely manner. Depending on the City’s needs and the availability of the contractors, the spending authority for each of the three contracts must be increased by \$55,000 to provide flexibility for the City. These funds, totaling \$55,000, will be appropriated as part of the second amendment to the FY2025 annual appropriations ordinance.

	<b>Total</b>
<b>Current Amounts</b>	\$162,000
<b>Proposed Amendments</b>	\$55,000
<b>Total</b>	<b>\$217,000</b>

CURRENT SITUATION AND ITS EFFECTS

The Berkeley Marina requires regular removal of abandoned boats and marine debris from the harbor waters. Each year, approximately five to ten vessels get abandoned by

their owners at the Berkeley Marina. These vessels occupy slips in the Berkeley Marina that could otherwise be used to generate dockage revenue for the City. They are a visual blight on our Marina and harm our reputation. Most often, vessels are abandoned because the owners lack funds needed for repairs, for dockage fees, or both. Due to the age and neglect of the vessels, they have no value, are not sea-worthy, and are likely to sink. There are also times when large marine debris such as broken dock sections need to be removed from the Marina. Upon execution of these contracts and subsequent task orders, contractors will be able to safely remove vessels or debris from the Marina, take them back to their shipyard, and properly dispose of them in accordance with federal and state regulations.

### 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.

In 2022, the City received a SAVE grant (SAVE 2022) from the California Division of Boating and Waterways in the amount of \$60,000. In 2023, the City received an additional SAVE grant (SAVE 2023) in the amount of \$60,000. In 2024, the City received an additional SAVE grant (SAVE 2024) in the amount of \$50,000. This grant will expire on September 30, 2026.

On October 27, 2023, the City published a Request for Qualifications (RFQ) seeking qualified firms or individuals to provide Derelict Vessel/Debris Removal & Disposal services on an as-needed basis (Specification No. 24-11618-C). On November 21, 2023, the City received Statements of Qualifications (SOQs) from three (3) marine construction firms. A panel of City staff reviewed the SOQs and selected Lind Marine, Power Engineering Construction, and Silverado Contractors as the best qualified firms to meet the City's needs. The City needs to award some or all of the new SAVE 2024 grant of \$55,000 to any of the three current contractors, depending on the City's needs and the availability of the contractors. To provide this flexibility, the spending authority for each of the three contracts must be increased by \$55,000.

### ENVIRONMENTAL SUSTAINABILITY

Derelict, abandoned, and sunken vessels pose a navigational and environmental hazard to the Bay waters at the waters and shoreline of 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

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City 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: Contract with Lind Marine
2. Resolution: Contract with Power Engineering Construction
3. Resolution: Contract with Silverado Contractors

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

AMENDMENT TO CONTRACT 32400134: LIND MARINE FOR AS-NEEDED DERELICT VESSEL/DEBRIS REMOVAL AND DISPOSAL SERVICES

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, on January 16, 2024, by Resolution No. 71,165-N.S. the City Council authorized Contract No. 32300184 with Lind Marine, LLC in an amount not to exceed \$162,000 for as-needed derelict vessel and debris removal and disposal services through January 16, 2026;

WHEREAS, the current contract not-to-exceed amount is nearly depleted and the City has need of Lind Marine's services through September 30, 2026; and

WHEREAS, additional funding of \$55,000 for this on-call contract will be available through a SAVE 2024 grant (Fund 607) in the amount of \$50,000 from the California Division of Boating and Waterways (DBW) and local match Marina Fund (Fund 608) for the amount of \$5,000. These funds will be appropriated as part of the second amendment to the FY 2025 annual appropriations ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or his designee is hereby authorized to amend contract no. 32300184 with Lind Marine to remove and dispose of derelict and abandoned vessels at the Berkeley Marina by increasing the contract spending amount by \$55,000 for a total not-to-exceed contract amount of \$217,000. This contract period will be extended to September 30, 2026. A record signature copy of said contract will be on file in the Office of the City Clerk.

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

AMENDMENT TO CONTRACT 32400145: POWER ENGINEERING FOR AS-NEEDED DERELICT VESSEL/DEBRIS REMOVAL AND DISPOSAL SERVICES

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

WHEREAS, on January 16, 2024, by Resolution No. 71,166-N.S. the City Council authorized Contract No. 32400145 with Power Engineering Construction in an amount not to exceed \$162,000 for as-needed derelict vessel and debris removal and disposal services through January 16, 2026;

WHEREAS, the current contract not-to-exceed amount is nearly depleted and the City has need of Power Engineering Construction's services through September 30, 2026; and

WHEREAS, additional funding of \$55,000 for this on-call contract will be available through a SAVE 2024 grant (Fund 607) in the amount of \$50,000 from the California Division of Boating and Waterways (DBW) and local match Marina Fund (Fund 608) for the amount of \$5,000. These funds will be appropriated as part of the second amendment to the FY 2025 annual appropriations ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or his designee is hereby authorized to amend contract no. 32400145 with Power Engineering to remove and dispose derelict and abandoned vessels at the Berkeley Marina by increasing the contract spending amount by \$55,000 for a total not-to-exceed contract amount of \$217,000. This contract period will be extended to September 30, 2026. A record signature copy of said contract will be on file in the Office of the City Clerk.

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

AMENDMENT TO CONTRACT 32400135: SILVERADO CONTRACTORS FOR AS-NEEDED DERELICT VESSEL/DEBRIS REMOVAL AND DISPOSAL SERVICES

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, on January 16, 2024, by Resolution No. 71,167-N.S. the City Council authorized Contract No. 32400135 with Silverado Contractors, Inc. in an amount not to exceed \$162,000 for as-needed derelict vessel and debris removal and disposal services through January 16, 2026;

WHEREAS, the current contract not-to-exceed amount is nearly depleted and the City has need of Silverado Contractors, Inc's services through September 30, 2026; and

WHEREAS, additional funding of \$55,000 for this on-call contract will be available through a SAVE 2024 grant (Fund 607) in the amount of \$50,000 from the California Division of Boating and Waterways (DBW) and local match Marina Fund (Fund 608) for the amount of \$5,000. These funds will be appropriated as part of the second amendment to the FY 2025 annual appropriations ordinance.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Berkeley that the City Manager or his designee is hereby authorized to amend contract no. 32400135 with Silverado Contractors to remove and dispose derelict and abandoned vessels at the Berkeley Marina by increasing the contract spending amount by \$55,000 for a total not-to-exceed contract amount of \$217,000. This contract period will be extended to September 30, 2026. A record signature copy of said contract will be on file in the Office of the City Clerk.