



Board Agenda Item 31

DATE: April 8, 2025

TO: Board of Supervisors

SUBMITTED BY: David Luchini, RN, PHN, Director, Department of Public Health

SUBJECT: Agreement with the City of Fresno for use of Buses for Emergency Evacuations

RECOMMENDED ACTION(S):

- 1. Under Administrative Policy No. 34 for competitive bids or requests for proposals (AP 34), determine that an exception to the competitive bidding requirement under AP 34 is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances as the City of Fresno has a significant number of buses and drivers available to provide to the County in the event of an emergency and is able to receive and respond to a request for evacuation assistance 24 hours per day, seven days per week; and**
- 2. Approve and authorize the Chairman to execute an Agreement with the City of Fresno through the City's Department of Transportation, effective upon execution, not to exceed five consecutive years, which includes a three-year base contract and two optional one-year extensions, total not to exceed \$175,000.**

There is no additional Net County Cost associated with the recommended actions. Approval of the recommended actions will allow the Department of Public Health (DPH) to request the City of Fresno Department of Transportation to provide buses to transport evacuees from an area in Fresno County affected by an emergency event to a designated shelter or other location identified by Fresno County Office of Emergency Services (OES). This item is countywide.

ALTERNATIVE ACTION(S):

Should your Board not approve the recommended actions, DPH would need to identify another means of transportation during an emergency event for evacuees that is available on little to no notice and is available 24 hours per day, seven days per week.

SUSPENSION OF COMPETITION:

It is requested that the County find under AP No. 34 that an exception to the competitive bidding requirement is satisfied and a suspension of competition is warranted due to unusual or extraordinary circumstances as the City of Fresno has a significant number of buses and drivers available to assist the County in the event of an emergency evacuation and is able to receive and respond to a request for evacuation assistance 24 hours per day, seven days per week, with little or no notice. The Internal Services Department - Purchasing Division concurs with the Department's assessment that this satisfies the exception to the competitive bidding process required by AP 34.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended actions. Compensation will only be paid to the Contractor if a request is made for its services. The maximum compensation payable to the City of Fresno under this Agreement is \$175,000 for a full five-year term. Compensation shall not exceed \$35,000 annually during each of the three years of the initial term and each subsequent 12-month period. If there is a declared disaster associated with the use of this agreement, a significant portion of the costs can be recovered from State or Federal disaster funds. If the agreement needs to be used for an event that is not a declared disaster, the County would be responsible for the cost to utilize the transportation services identified in the agreement which would be paid for through Department funds, which could include Realignment Funds. Sufficient appropriations and estimated revenues are included in the Department's Org 5620 FY 2024-25 Adopted Budget and will be included in future budget requests.

DISCUSSION:

The County has a duty to respond to various types of emergencies/disasters that may occur in the unincorporated area of the Fresno County Operational Area and also assists with disaster responses within the 15 cities when requested by those jurisdictions. Emergency response activities, which are coordinated through the County's Office of Emergency Services (OES), may be needed at any time with little warning. These activities may include provision of transportation resources to areas under evacuation order or warning due to threat of fire, flood, and other imminent threats for residents who cannot self-evacuate from the affected areas.

The City of Fresno's Department of Transportation, FAX, maintains a fleet of 129 buses, all of which are wheelchair accessible, employs 337 drivers, and operates seven days per week. While FAX's normal operations do not occur 24 hours per day, the City is willing to provide requested evacuation service 24 hours per day, seven days per week, with little or no notice and has emergency personnel who are able to receive and respond to a request 24/7. Additionally, the City is willing to assist with evacuation anywhere within the unincorporated area and within the 15 cities as needed. The City's E Street Yard where it parks and maintains the FAX bus fleet is centrally located within the County in downtown Fresno with quick access to local freeways (41, 99, 180, 168) and other major transportation routes.

Based on recent experience with disaster response in Fresno County, there is little potential to use these transportation services. However, having an established agreement to immediately access these types of transportation services is important for the County's emergency preparedness and for the safety of our communities. If evacuation transportation resources are needed, evacuees will be transported to an emergency shelter or another location identified by the OES.

The recommended agreement deviates from the County's standard indemnification language in that it includes language whereby the County and City mutually indemnify each other. Additionally, the standard insurance language has been replaced, removing language specifying insurance type minimums and identifying that the County and City both maintain insurance policies or self-insurance programs including, but not limited to, an insurance pooling arrangement and/or Joint Powers Agreement. Risk Management has reviewed the agreement and does not agree with inclusion of mutual indemnification and excluding the County's standard insurance provisions; however, the Department of Public Health believes that the benefits of the recommended agreement outweigh any potential risks and recommends approval of the agreement as a prudent business decision.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Suspension of Competition Acquisition Request Form
On file with Clerk - Agreement with City of Fresno

CAO ANALYST:

Ron Alexander