

RESOLUTION NO. .

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
ACTING AS THE GOVERNING BOARD OF THE CRYSTAL SPRINGS COUNTY
SANITATION DISTRICT**

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RESOLUTION: A) ADOPTING THE PLANS AND SPECIFICATIONS, INCLUDING CONFORMANCE WITH FEDERAL PREVAILING WAGE SCALE REQUIREMENTS, FOR THE SENECA LANE MUDSLIDE SEWER STABILIZATION PROJECT; AND B) AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE AN AGREEMENT WITH DISNEY CONSTRUCTION, INC., IN THE AMOUNT OF \$1,692,785 FOR THE SENECA LANE MUDSLIDE SEWER STABILIZATION PROJECT; AND C) AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO: 1. EXECUTE SUBSEQUENT CHANGE ORDERS TO GRANT TIME EXTENSIONS FOR PROJECT COMPLETION AND PAYMENT UP TO A MAXIMUM AGGREGATE AMOUNT NOT TO EXCEED \$169,280 OR APPROXIMATELY 10 PERCENT OF THE AGREEMENT AMOUNT; AND 2. FILE A NOTICE OF EXEMPTION FOR A CALIFORNIA ENVIRONMENTAL QUALITY ACT CATEGORICAL EXEMPTION

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of the Crystal Springs County Sanitation District (District), that

WHEREAS, on February 7, 2017, this Board, in accordance with Government Code section 8630 and Chapter 2.46 of the San Mateo County Ordinance Code, ratified action by the Director of Emergency Services proclaiming a local state of emergency. The action was taken after several weeks of severe storms caused a mudslide, damaging a sewage pipe located behind the property at 1560 Seneca Lane, in unincorporated San Mateo County and within the boundaries of the Crystal Springs County Sanitation District; and

WHEREAS, this Board subsequently renewed the emergency proclamation on February 14, February 28, March 14, March 28, April 11, April 25, May 2, May 16, June

6, and June 27, 2017. Renewal of the emergency proclamation is necessary to maintain eligibility for state and federal financial assistance; and

WHEREAS, on March 14, 2017, this Board adopted Resolution No. 075084 authorizing the Department employees to serve as agents authorized to execute in the name of the County of San Mateo all necessary applications, contracts, agreements, amendments and payment requests hereto for the purposes of securing grant funds and to implement and carry out the purposes specific in the grant applications with FEMA and the California Office of Emergency Services (Cal OES); and

WHEREAS, a temporary bypass pumping system is currently in place to continue providing sewer service to the 47 District customers upstream of the damaged sewer main. Winterization measures were implemented and the District continues to work with FEMA and Cal OES to receive relief funds for the costs incurred in responding to the emergency and for the permanent repair of the sewer main. The FEMA disaster number assigned to this mudslide is FEMA-4305-DR-CA; and

WHEREAS, on August 7, 2018, this Board adopted Resolution No. 076046, which authorized the Director of Public Works to prepare plans and specifications, advertise for bids and report to your Board on recommendations to award the contract once bids are received and confirmed.; and

WHEREAS, the proposed permanent repair consists of replacing the existing sewer pipe segment in its original alignment and constructing a soldier pile wall with steel ground anchors or tie-backs (Project) to restore the integral ground conditions of

the slope that existed prior to the mudslide and protect the sewer main from future movement; and

WHEREAS, plans and specifications, dated May 30, 2019, were prepared and approved by the Director of Public Works for the Seneca Lane Mudslide Sewer Stabilization Project; and

WHEREAS, a schedule of federal prevailing wage scales for each craft or type of workman needed to execute these plans and specifications in the locality in which said work is to be performed has been established by the Department of Industrial Relations or the Department of Labor, whichever is higher, and has been referred to in said plans and specifications; and

WHEREAS, the Department of Public Works did issue a call for sealed proposals to be received at the office of the County Manager / Clerk of the Board of Supervisors, Hall of Justice and Records, 400 County Center, Redwood City, California, until the hour of 3:30 p.m., Tuesday, June 18, 2019; and

WHEREAS, the Department of Public Works did cause the notice inviting sealed proposals to be published three times in the Examiner Peninsula Newspaper, a newspaper printed and published in this County, and obtained an affidavit of said publication; and

WHEREAS, the Clerk of this Board of Supervisors did, in public on June 18, 2019 at 3:30 p.m., open and examine all sealed bids that were received in the specified time for the doing of the work referred to in said Plans and Specifications; and

WHEREAS, this Board of Supervisors has caused an analysis of said bids to be made by the Director of Public Works of the County of San Mateo, and has, in open session, fully reviewed and considered said sealed proposals and the analysis thereof; and

WHEREAS, the lowest responsible bid was submitted by Disney Construction, Inc., in the amount of \$1,692,785 based on an estimate of the amount of work to be done; and

WHEREAS, Department of Public Works staff has determined that this Project qualifies for a Categorical Exemption pursuant to Section 15302 of the California Environmental Quality Act (CEQA) Guidelines for Implementation, which provides that replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, is exempt from review.

NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. The plans and specifications dated May 30, 2019, for the aforesaid project are hereby approved and adopted as the Plans and Specifications to be adhered to in letting and performing the work under a contract for said improvements.

2. It is in the best interest of the District to award the agreement for the Seneca Lane Mudslide Sewer Stabilization Project to:

Disney Construction, Inc.
533 Airport Boulevard
Suite 120
Burlingame, CA 94010

3. The District shall enter into a written agreement with Disney Construction, Inc. for the completion of said work as required by the Plans and Specifications adopted by this Board of Supervisors, as hereinbefore mentioned, which Plans and Specifications are on file in the office of the Director of Public Works of the County of San Mateo.

4. The President of this Board of Supervisors shall be, and is hereby, authorized and directed to execute an agreement with Disney Construction, Inc., for the doing of said work described therein, subject to the Department of Public Works' receipt and approval of the Faithful Performance Surety Bond ("Performance Bond") and the Labor and Material Surety Bond ("Payment Bond") required to be posted by said Contractor with the County of San Mateo in connection therewith.

5. The Director of Public Works is hereby authorized to execute change orders related to said work for time extensions and payment not exceeding \$169,280 in aggregate.

6. All payments to the Contractor shall be in accordance with the Plans and Specifications, and other agreement documents. Aggregate payment to the Contractor shall not exceed \$1,862,065 without this Board's approval.

7. The Director of Public Works is hereby authorized to file a Notice of Exemption for a California Environmental Quality Act Categorical Exemption.

8. The Clerk of the Board of Supervisors, County of San Mateo, is hereby authorized and directed to attest the signature of the President of this Board of Supervisors to said written agreement.

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