

RESOLUTION NO. 070790

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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RESOLUTION:

- 1.) APPROVING THE CRYSTAL SPRINGS DAM BRIDGE REPLACEMENT PROJECT AND MAKING FINDINGS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT; AND
- 2.) AUTHORIZING THE PRESIDENT OF THE BOARD OF SUPERVISOR TO EXECUTE AN AGREEMENT WITH SWAIM BIOLOGICAL, INC., FOR AN AMOUNT NOT TO EXCEED \$221,000 FOR BIOLOGICAL SERVICES ASSOCIATED WITH CONSTRUCTION MITIGATION RELATED TO THE DEMOLITION OF THE CRYSTAL SPRINGS DAM BRIDGE PROJECT, FROM THE DATE OF EXECUTION, MAY 25, 2010, THROUGH DECEMBER 31, 2012.

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RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, that

**WHEREAS**, the Crystal Springs Dam Bridge Replacement Project (Project) involves replacing the existing County-owned bridge located on top of the Lower Crystal Springs Dam owned and operated by the City and County of San Francisco Public Utilities Commission (SFPUC); and

**WHEREAS**, this bridge has been identified as requiring replacement due to its current potential seismic deficiency and susceptibility to significant damage under the maximum credible earthquake anticipated for its location; and

**WHEREAS**, the Project consists of two distinct phases, each of which will require subsequent action of this Board to, for example, approval of construction contracts; and

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**WHEREAS**, in the first phase, the County will decommission, demolish, and remove the existing bridge (Bridge Project); and

**WHEREAS**, in the second phase, the County will construct a new bridge above the Lower Crystal Springs Dam after completion of the proposed Dam Project by the SFPUC; and

**WHEREAS**, a Draft Initial Study/ Mitigated Negative Declaration (IS/MND) for the Project was prepared and published for public review on September 11, 2009, and was available for public comment until October 13, 2009; and

**WHEREAS**, on December 1, 2009, your Board reviewed and considered the Mitigated Negative Declaration (MND) and found that the MND, and the procedures by which it was prepared, publicized, and reviewed complied with the California Environmental Quality Act (CEQA); and

**WHEREAS**, the County of San Mateo applied for Federal Highway Bridge Replacement and Rehabilitation funds from the Federal Highway Administration for the Project and has been coordinating with the SFPUC with respect to the timing of SFPUC's proposed lower Crystal Springs Dam Improvement project (Dam Project); and

**WHEREAS**, subsequent to the Board's December 1, 2009 meeting the County was authorized to proceed with the Bridge Project and federal funds were appropriated for this work by the by the Federal Highway Administration; and

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**WHEREAS**, the Project requires specific biological services to comply with the Construction Mitigation requirements; and

**WHEREAS**, the Department of Public Works' Director is the custodian of record, located in File No. E4867000, at 555 County Center, 5<sup>th</sup> Floor, Redwood City, CA 94063; and

**WHEREAS**, this Board is authorized to engage the specialized services of a professional technical expert on a temporary basis for a specific project for performance of necessary services for and on behalf of County; and

**WHEREAS**, the public interest and general welfare will be served by selecting and utilizing a Biological Consultant for construction mitigation services in connection with the Bridge Project; and

**WHEREAS**, environmental studies and permits issued by the United States Fish and Wildlife Service (USFWS) have concluded that mitigation related to endangered and threatened species, most notably the California Red-Legged Frog (CRLF), is required during the course of the Project; and

**WHEREAS**, the Department of Public Works has conducted a Request for Proposal (RFP) process for selecting a biological consultant to perform the required biological monitoring work for the Bridge Project; and

**WHEREAS**, Swaim Biological, Inc. (Swaim), has been selected for this work and

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is well qualified to work with the USFWS and the California Department of Fish and Game in connection with the Bridge Project; and

**WHEREAS**, Swaim is a competent biological consultant with qualified employees who can perform such biological services in connection with said Bridge Project, and the parties hereto desire to enter into an Agreement for said biological services; and

**WHEREAS**, Swaim submitted the negotiated proposal in the amount of TWO HUNDRED THOUSAND EIGHT HUNDRED EIGHTY-FIVE and No/100 Dollars (\$200,885.00) based on the amount of work to be done; and

**WHEREAS**, the Department of Public Works is recommending that the not to exceed amount of the Agreement include a contingency of ten percent (10%) or \$20,088 to allow for unanticipated biological issues that may arise during the Bridge Project to be dealt with expeditiously and not affect the construction schedule; and

**WHEREAS**, this Board has determined that it is in the best interest of the County to enter into said Agreement; and

**WHEREAS**, there has been presented to this Board for its consideration an Agreement with Swaim, which this Board has considered and approved as to form and substance and which this Board wishes to enter into.

**NOW, THEREFORE, IT IS HEREBY DETERMINED AND ORDERED that:**

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1. This Board has reviewed and considered the MND, and on the basis of the record as a whole, confirms that the MND is adequate for its use by this Board, and, on the basis of this review and consideration, there is no substantial evidence that the Project will have a significant effect on the environment if mitigated as set forth in the MMRP and this Board hereby confirms its certification of the MND; and
2. This Board hereby adopts the MMRP attached hereto as Exhibit A and incorporated by reference in this Resolution and commits to all mitigation measures identified in the IS/MND and contained in the MMRP; and
3. This Board hereby approves the Project, subject to the continuing availability of funds, and authorizes County staff to implement the Project, provided that subsequent approval of this Board may be required to award contracts related to the Project; and
4. On behalf of the County of San Mateo, the President of this Board of Supervisors shall be, and is hereby, authorized and directed to execute the above-referenced Agreement with Swaim Biological, Inc. in an amount not to exceed TWO HUNDRED TWENTY-ONE THOUSAND and No/100 Dollars (\$221,000.00) and the Clerk of the Board shall attest the President's signature thereto.

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Regularly passed and adopted this 25<sup>th</sup> day of May, 2010.

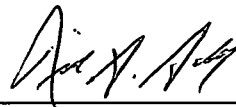
AYES and in favor of said resolution:

Supervisors: MARK CHURCH  
CAROLE GROOM  
RICHARD S. GORDON  
ROSE JACOBS GIBSON  
ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors: NONE

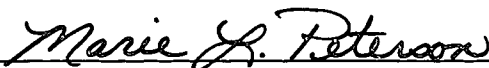
Absent Supervisors: NONE



President, Board of Supervisors  
County of San Mateo  
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



Marie L. Peterson, Deputy  
Clerk of the Board of Supervisors

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