



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** GOVERNING BOARD

**File #:** 19-622

Board Meeting Date: 6/25/2019

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors, Acting as the Governing Board of the Crystal Springs County Sanitation District

**From:** James C. Porter, Director of Public Works

**Subject:** Seneca Lane Mudslide Sewer Stabilization Project - Crystal Springs County Sanitation District (Project No. SMF51, File No. E4989)

**RECOMMENDATION:**

Acting as the Governing Board of the Crystal Springs County Sanitation District, adopt a 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.

**BACKGROUND:**

The County of San Mateo experienced significant storm-related damage as a result of heavy rainfall and elevated streamflow throughout the 2017 storm season. On January 23, 2017, the Governor declared a State of Emergency for many California counties, including San Mateo County due to the heavy storm systems in January and the resulting flooding, erosion, and damage to local infrastructure. The Federal Emergency Management Agency (FEMA) later announced a federal disaster declaration and disaster assistance availability for San Mateo County due to severe winter

storms, flooding, and mudslides from January 18 to January 23, 2017.

On February 7, 2017, your 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, among other things, 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 (District).

Your 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 was necessary to maintain eligibility for State and federal financial assistance.

On March 14, 2017, your Board adopted Resolution No. 075084 authorizing specific 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).

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. District staff have been and will continue to monitor the bypass system regularly to ensure it is functioning properly until construction of the permanent repair is completed.

Winterization measures were developed and implemented for the 2017-18 and 2018-19 rainy seasons to ensure the project area was protected and to minimize additional movement of the mudslide. The District has been working with FEMA and Cal OES to apply for FEMA disaster relief funds for the costs incurred in responding to the emergency and for the permanent repair of the sewer main. FEMA and Cal OES have determined that the site would be eligible for funding and are working with the District to establish an appropriate scope of work and funding amount. The FEMA disaster number assigned to this mudslide is FEMA-4305-DR-CA.

On August 7, 2018, your Board adopted Resolution No. 076046, which authorized the Director of Public Works to proceed with preparation of the plans and specifications for the Seneca Lane Mudslide Sewer Stabilization Project, advertise for bids, and report to your Board on recommendations to award the contract once bids are received and confirmed.

**DISCUSSION:**

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.

On Tuesday, June 18, 2019 bids were accepted for this Project and subsequently referred to this office for checking and recommendation. The bid of:

Disney Construction, Inc.

was the lowest responsible bid received for the work. The Engineer's Estimate was \$2,003,000. A summary of the bids received is attached as Exhibit "A".

FEMA is in the process of completing its Environmental and Historic Preservation compliance review and the Project scope of work but has yet to determine an eligible funding amount. Securing FEMA funding for this Project is substantially beneficial to the District's finances. As such, the Department has continued to move the Project forward as far as possible, while not jeopardizing FEMA funding. Assuming FEMA allocates funding for this Project, construction cannot commence until the appropriate approvals are received from FEMA and necessary paperwork is executed. Staff is recommending that the contract be awarded to the lowest responsible bidder in order to commence construction in 2019, and bypass pumping for and avoid another winter season. The Project plans and specifications have been developed to comply with all necessary FEMA procurement requirements. Should the District receive FEMA approval with conditions substantially different from what is anticipated and require an increase to the contract not to exceed amount, the District will come back to this Board with the request.

Access to the Project is through San Francisco Public Utilities Commission (SFPUC) lands, Highlands Recreation District (Recreation District) lands, and private properties. The District is working with SFPUC and the Recreation District to obtain the necessary access permits. The Real Property Division will be presenting to your Board in a subsequent Board action any necessary agreements with private property owners to acquire additional temporary construction and permanent easements to complete the Project. The easement agreements will provide the District with any additional access required, beyond the existing easements for access to the sewer pipes, such that the Project work can be performed.

Department 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. We request authorization to file a Notice of Exemption for a CEQA Categorical Exemption for this Project.

County Counsel has reviewed and approved the resolution and agreement as to form.

Approval of these actions contributes to the Shared Vision 2025 outcome of a Healthy Community by maintaining the integrity of the sanitary sewer infrastructure and protecting the environment for the benefit of the public.

**FISCAL IMPACT:**

The total estimated construction cost is \$1,862,065, which includes authorization for up to \$169,280 in change orders as the work is bid on a unit price basis. The contingency is used to pay the Contractor for any unforeseen conditions not anticipated in the contract agreement documents.

The Project is proposed to be financed by District funds that have been allocated for this work. Once FEMA approval is attained, the District funds will be reimbursed up to the amount approved by

FEMA.

There is no impact to the General Fund.

Attachment: Exhibit "A" - Summary of Bids Received