



Legislation Details (With Text)

File #: 23-0890 **Version:** 1

Type: Agenda Item **Status:** Approved

File created: 4/21/2023 **In control:** Board of Supervisors

On agenda: 6/6/2023 **Final action:** 6/6/2023

Title: Department of Transportation recommending the Board consider the following pertaining to the Meyers Stream Environment Zone/Erosion Control Project, Capital Improvement Program project number 36107007, Contract 7377:

- 1) Approve and adopt the Plans and Contract Documents and authorize the Chair to sign the Plans;
- 2) Authorize advertisement for construction bids with an estimated construction phase total cost of \$1,839,026; and
- 3) Authorize the Chair to sign the Construction and Funding Agreement with South Tahoe Public Utility District for relocation of existing water facilities that conflict with proposed improvements.

FUNDING: United States Forest Service (50% - Federal), California Tahoe Conservancy (25% - State), State Water Resource Control Board (13% - State), and Tahoe Regional Planning Agency (12% - Local).

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Counsel_Risk CRS Approval.pdf, 2. B - Contract Documents.pdf, 3. C - Plan Set.pdf, 4. D - Constr and Funding Agmt PE.pdf, 5. E - Vicinity Map.pdf, 6. Executed Plan Set, 7. Executed Construction and Funding Agreement

Date	Ver.	Action By	Action	Result
6/6/2023	1	Board of Supervisors	Approved	Pass

Department of Transportation recommending the Board consider the following pertaining to the Meyers Stream Environment Zone/Erosion Control Project, Capital Improvement Program project number 36107007, Contract 7377:

- 1) Approve and adopt the Plans and Contract Documents and authorize the Chair to sign the Plans;
- 2) Authorize advertisement for construction bids with an estimated construction phase total cost of \$1,839,026; and
- 3) Authorize the Chair to sign the Construction and Funding Agreement with South Tahoe Public Utility District for relocation of existing water facilities that conflict with proposed improvements.

FUNDING: United States Forest Service (50% - Federal), California Tahoe Conservancy (25% - State), State Water Resource Control Board (13% - State), and Tahoe Regional Planning Agency (12% - Local).

DISCUSSION / BACKGROUND

The Meyers Stream Environment Zone/Erosion Control Project (Project) site is within an existing residential development located in the unincorporated area of South Lake Tahoe, north of U.S. Highway 50/State Route 89, along East San Bernardino Avenue from Bakersfield Street to San Diego Street. The Project is part of an ongoing effort to retrofit County rights-of-way within the Lake Tahoe Basin with drainage improvements that will reduce the amount of sediment that reaches Lake Tahoe. The Project will help to meet goals identified in the El Dorado County Stormwater Resource Plan and

the Lake Tahoe Environmental Improvement Program.

A Mitigated Negative Declaration for the Project was adopted by the Board on July 19, 2016 (Legistar 16-0219, Item 28), in accordance with the California Environmental Quality Act.

Upon Board approval of Transportation's recommendation for this agenda item, Transportation will proceed with the bid process and return to the Board for consideration to award the construction contract, pursuant to Transportation's recommendation. Transportation anticipates scheduling the construction contract award for the July 18, 2023, Board meeting.

During the design of the Project, it was determined there was a water line conflict with the proposed improvements along East San Bernardino Avenue between Apache Avenue and Geronimo Way. Transportation consulted with South Tahoe Public Utility District (District) regarding the conflict. The District concluded the best mitigation for this issue is to relocate the entire water line between Apache and Geronimo which would include 705 linear feet of C900 pipe, installation of seven (7) residential water services and one (1) fire hydrant.

Under California law, since the road was in place before the District's facilities, the District is responsible for all costs associated with relocation of their facilities necessitated by "road improvements," which includes the drainage improvements proposed by the Project. On April 20, 2023, during their regular Board meeting, the District approved entering into a Construction and Funding Agreement (Agreement) with the County in the amount of \$502,706. The Agreement will require the County to include the relocation of the water line in the County's Project bid documents such that the water line is relocated as part of the Project scope (at District cost). This dollar value of the Agreement is based on a District cost estimate of \$402,165 plus a contingency of 25%. The total value of the Agreement will be deposited into an escrow account prior to bidding, adjusted to reflect actual bid price plus contingency after bidding, and then withdrawn by the County from the account during construction pending approval by District staff of progress payment requests.

ALTERNATIVES

- 1) The Board could choose to not approve the Contract Documents and Plans or authorize advertisement for construction bids. Transportation will make any changes requested by the Board and return at a later date.
- 2) The Board could also choose to cancel the Project. Transportation would be required to return all United States Forest Service (USFS) grant funds spent to date.
- 3) The Board could also choose to not approve the Construction and Funding Agreement with the District. Transportation will make any changes requested by the Board and return at a later date.

PRIOR BOARD ACTION

See Discussion/Background section above.

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel has reviewed and approved the Contract Documents.

CAO RECOMMENDATION / COMMENTS

Approve staff recommendation.

FINANCIAL IMPACT

There is no Net County Cost associated with this item. The Board will not obligate the County with the current requested action. The obligation will result from the subsequent action of awarding the bid. The total estimated cost for the Project's construction phase is \$1,839,026, which includes construction items of work, construction management, inspection, materials testing, supplemental costs, and contingencies.

The estimated construction cost is included in the Project budget, which is funded by USFS and Tahoe Regional Planning Agency (TRPA) mitigation funds.

CLERK OF THE BOARD FOLLOW UP ACTIONS

- 1) The Clerk of the Board will obtain the Chair's signature on the Construction Plan cover sheet for the Project.
- 2) The Clerk of the Board will forward the original signed Construction Plan cover sheet to John Kahling, Transportation, Headington Engineering.
- 3) The Clerk of the Board will obtain the Chair's signature on the Construction and Funding Agreement.
- 4) The Clerk of the Board will forward the original signed Construction and Funding Agreement to Rafael Martinez, Director of Transportation.

TRANSPORTATION FOLLOW UP ACTIONS

Transportation will advertise the Project for bid proposals and return to the Board with recommendations for award at a later date. Transportation will forward the executed Construction and Funding Agreement to the Clerk of the Board.

STRATEGIC PLAN COMPONENT

Infrastructure

CONTACT

Rafael Martinez, Director
Department of Transportation