



## Legislation Details (With Text)

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**On agenda:** 12/10/2019      **Final action:** 12/10/2019

**Title:** Department of Transportation recommending the Board consider the following pertaining to the Henningsen Lotus Park & Latrobe Railroad Storm Damage Repairs Project, CIP 99455/36209026 & 99454/36209025, Contract 4025:

- 1) Approve and adopt the Plans and Contract Documents and authorize the Chair to sign the Plans; and
- 2) Authorize advertisement for construction bids.

**FUNDING:** Local and state discretionary funding initially (100%). Department of Transportation staff working with the Federal Emergency Management Agency and the California Office of Emergency Services to obtain reimbursement. Latrobe Project: Local funds coming from Parks Project Savings in the Accumulative Outlay Fund, SPTC JPA, and Ponderosa Quimby Fund; HLP Project: Local funds coming from HLP Trust fund. (Local, State, and Federal Funds)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2A - Contract Docs, 2. 2B - Plans, 3. Executed Latrobe Railroad Storm Damage Repair Title Sheet, 4. Executed Henningsen Lotus Park Riverbank Restoration Title Sheet, 5. Public Comment Rcvd 12-10-19 BOS 12-10-19, 6. Public Comment Rcvd 12-9-19 BOS 12-10-19, 7. A - Approved Contract Routing Sheet, 8. B - Contract Docs, 9. C - Plans, 10. D - Vicinity Map, 11. Public Comment Rcvd 8-6-19 BOS 8-6-19, 12. Public Comment 8-5-19

Date	Ver.	Action By	Action	Result
12/10/2019	2	Board of Supervisors	Approved	Pass
8/6/2019	1	Board of Supervisors	Continued	Pass

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### DISCUSSION / BACKGROUND

This construction project is the last of the Federal Emergency Management Agency (FEMA) projects from 2017 storms. The Henningsen Lotus Park & Latrobe Railroad Storm Damage Repairs Project (Project) consists of two (2) projects that have been combined by Department of Transportation (Transportation) into one proposed construction contract due to similar scopes of work. In January

2019, Transportation's Fairlane Engineering Unit took over the delivery of the two (2) projects due to approaching FEMA funding deadlines. Transportation was able to obtain FEMA approval for additional time extensions and reimbursement for eligible Project engineering costs.

Since coming to the Board for permission to advertise on August 6, 2019, Legistar 19-0998, Item 12, and continuing to the Board with options for the Latrobe Railroad portion of the Project on October 15, 2019, Legistar 19-1479, Item 11, revisions were made to the Contract Documents by Transportation Staff. On October 15, 2019, the Board chose Option 4 to utilize FEMA funding to repair the embankment and pursue future funding (i.e. grants) to perform the drainage improvements at a later date. The culvert replacement was removed from the Contract Documents, leaving only the embankment repair for this Project. Additionally, the Latrobe Railroad portion of the Project is now an Additive Alternative B bid with the Henningsen Lotus Park being the Base Bid A. Transportation can now advertise the Project and provide the bid results to FEMA for additional funding approval of \$238,568. If FEMA approves the Additive Alternative B portion, it will be awarded with the Base Bid A. If FEMA does not approve the Additive Alternative B bid, only the Base Bid A will be awarded. The Contract Documents have increased the time period for award from the standard sixty (60) days from bid opening to one hundred twenty (120) days to allow time for FEMA review of the bids and additional funding approval.

The Base Bid A (Henningsen Lotus Park) portion of the Project involves placing rock slope protection (RSP) within storm damage areas located above the ordinary high water line/mark. Additionally, this restoration project involves shoulder backing and placing additional rock material adjacent on walkways in damaged areas above the RSP slope. The Additive Alternative B (Latrobe Railroad) portion of the Project consists of reconstruction and rock slope protection armoring of approximately 270 feet of track section and embankment.

Due to the potential for federal funding, both California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) compliance are required. The CEQA Notice of Exemption was filed on May 20, 2019. FEMA has neither provided a Record of Environmental Consideration nor issued an email stating NEPA Categorical Exclusion is authorized. However, FEMA has advised that waiting for the written NEPA clearance is not required due to time constraints. FEMA has advised to make sure that permits and permit requirements are received and complied with as needed.

The Army Corps of Engineers has confirmed that both projects can be completed without any permits under Section 404 since neither project impacts Waters of the U.S.; therefore, Section 106 consultation is not required. A California Fish & Wildlife Streambed Alteration Agreement in accordance with Section 1600 of Fish & Game Code has been acquired for the Henningsen Lotus Park site. The Latrobe Railroad site exists within the Sacramento Placerville Transportation Corridor Joint Powers Authority of which the County has land rights. Acquisition of Temporary Construction Easement and Slope/Drainage Easement from APNs 087-260-18, 087-260-21, and 087-260-19 has been completed.

No utility conflicts are known to exist within the limits of improvements at each site.

Transportation completed the environmental clearance, permits, plans, specifications, and estimates necessary to advertise the Project for construction bids. These documents, along with supporting engineering analysis, were submitted to the California Office of Emergency Services (CalOES) / FEMA with the request for approval to advertise for construction. Transportation will advertise the Project for construction bids with acknowledgement of approved construction funding from CalOES/

FEMA for the Henningsen Lotus Park site at this time. Transportation will advertise and only recommend award of the Latrobe Railroad site after opening bids and FEMA authorization of construction funds based on actual bid results.

As a federally funded Project, the Contract Documents have been federalized and incorporate the current Caltrans Disadvantaged Business Enterprise (DBE) requirements. The DBE goal is 7%.

### **ALTERNATIVES**

- 1) The Board could choose to not approve the Contract Documents. Transportation will make any further revisions requested by the Board and return at a later date.
- 2) The Board could choose to not authorize advertisement for construction bids. Transportation will make any further revisions requested by the Board and return at a later date.
- 3) The Board could choose to cancel the Project. Canceling the Project may include the consequence of reimbursing all federal funding received to date.

### **PRIOR BOARD ACTION**

See Discussion / Background Section

### **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel and Risk Management have reviewed and approved the Plans and Contract Documents, as well as revisions made since the October 15, 2019 Board direction.

### **CAO RECOMMENDATION / COMMENTS**

It is recommended that the Board approve this item.

### **FINANCIAL IMPACT**

Transportation's current estimate for the Option 4 Additive Alternative B (Latrobe Railroad) is \$433,000 for the full project cost. To date on this project, the County has received \$68,573 from FEMA. Transportation has also received approval for an additional \$22,859 for studies needed for the design of the repair.

The total estimated cost for the Projects construction phase (Base Bid A with Additive Alternative B) is \$778,125, which includes construction items of work, construction management, environmental monitoring, inspection, materials testing, and contingencies. The planning and design phases of the Project are estimated to cost \$115,000. The anticipated County local share of the entire Project actual cost is \$100,445.

There is no financial impact or change to 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.

### **CLERK OF THE BOARD FOLLOW UP ACTIONS**

- 1) The Clerk of the Board will obtain the Chair's signature on the construction Plans for the Project.
- 2) The Clerk of the Board will forward the original signed Plan set to Transportation, Fairlane Engineering, attention Matt Smeltzer.

### **TRANSPORTATION FOLLOW UP ACTIONS**

Transportation will advertise the Project for bid proposals, allow time for FEMA review and additional funding approval, and return to the Board with recommendations for award at a later date.

**STRATEGIC PLAN COMPONENT**

Infrastructure, Public Safety

**CONTACT**

Rafael Martinez, Director

Department of Transportation