

BUSINESS OF THE COUNCIL OF THE CITY OF HALF MOON BAY

AGENDA REPORT

For meeting of: **October 3, 2023**

TO: Honorable Mayor and City Council

VIA: Matthew Chidester, City Manager

FROM: Maz Bozorginia, Public Works Director/City Engineer
Denice Hutten, Associate Engineer

TITLE: AWARD OF CONSTRUCTION CONTRACT FOR EMERGENCY SEYMOUR OUTFALL REPAIRS

RECOMMENDATION:

Adopt a resolution authorizing the City Manager to execute a construction contract for emergency Seymour Outfall repairs with Cazadoro Construction, Inc. of San Francisco, California in the amount of \$223,215 and approve an additional contingency amount of 10 percent of the contract award amount (\$22,000) for a total emergency fund of \$245,215 for the emergency repair.

(Note: a 4/5 vote is required for this action)

FISCAL IMPACT:

The proposed work is necessary to complete emergency repairs of the Seymour Outfall in advance of the coming rainy season. The FY 2023-24 Capital Improvement Program includes funding the Seymour Watercourse Erosion and Coastal Stabilization Project CIP (0608) and has sufficient balance to cover the emergency work. This emergency repair is on the City's disaster recovery list with FEMA and CalOES. Staff continues to seek reimbursement for storm related costs including restoration funding.

STRATEGIC ELEMENT:

This action supports the *Infrastructure and Environment* and *Healthy Communities and Public Safety* Elements of the Strategic Plan.

BACKGROUND:

The Seymour Watercourse and Outfall is a man-made drainage feature located directly west of the westerly terminus of Seymour Street and approximately 1,000 feet south of the City's Poplar Beach parking lot. Between Seymour Watercourse and the parking lot is the closed San Mateo County Landfill which is owned and managed by the County. The bluffs in this area have been eroding for many years and are particularly vulnerable to erosion during high volume

storm events. In 2017, the City designed and solicited bids for a repair project to address damage along the watercourse. Cazadoro Construction, Inc. was selected as the lowest responsible bidder and completed the improvements on time and under budget. The improvements were monitored over the last several years and had been functioning well until the 2022/23 winter storms.

After completion of the 2017 project, the City met several times with local property owners and stakeholders to discuss a long-term solution which included upstream watershed management and stormwater retention. After some preliminary habitat restoration analysis by the Resource Conservation District (RCD) and the Army Corps of Engineers (ACOE), the project was paused in the beginning of 2020. Additionally, the scope from RCD and ACOE did not consider any upstream stormwater detention, and therefore had a limited benefit to managing high-volume precipitation/flows.

With the 2022/23 winter storms amount of rainfall and prolonged duration, there was significant damage to the outfall as well as many other areas around the City, County and State, triggering the Governor to declare a state of emergency. The high velocity of the stormwater flows coupled with saturated ground conditions and high winds created a condition that increased the erosion. Especially with the high winds, large trees that had previously supported the bluff edge with their root systems failed, causing trees to fall into the lower portion of the channel taking large portions of the bluff with them.

On August 15, 2023, the City Council authorized the City Manager to execute a Professional Services Agreement with NCE to develop a design to protect the damaged outfall and watercourse, secure emergency environmental permitting for construction, and provide construction support for a Fall 2023 emergency construction project.

Once given the notice to proceed, NCE worked closely with City staff to conceptualize and develop construction plans for the emergency outfall repair. On September 18th, NCE submitted emergency permit applications, along with 90% complete construction plans, to the jurisdictional agencies—Army Corps of Engineers, State Water Resources Control Board and the Department of Fish and Wildlife. On September 26th, the Army Corps of Engineers, as leading agency, approved the emergency permit allowing the project to move forward. An Emergency Coastal Development Permit (CDP) is in process and anticipated to be issued on Friday, September 29, 2023.

DISCUSSION:

Emergency erosion stabilization is required at the outfall to protect the California Coastal Trail including the Seymour Multimodal Bridge. Additionally, stabilization will benefit other areas including public and non-profit owned open space areas and portions of the closed San Mateo County Landfill. Because of the limited weather window of opportunity, staff is recommending a streamlined approach to the contracting and material sourcing to meet the project schedule.

On September 25, City staff, NCE and Cazadoro Construction met at the project site to discuss the construction plans, construction access and methods, inventory of available materials and job sequence. Cazadoro was identified and contacted due to their overall experience and prior work at the job site. Cazadoro indicated their availability to perform the emergency construction work on a tight timeline which made this possible.

Pursuant to Section 22050 of the Public Contract Code, the City Council can waive the requirement for competitive bidding in case of emergency to facilitate a timely necessary repair. The attached resolution finds that there is insufficient time to competitively bid the project, and that immediate action is needed to respond to the emergency. Section 22050 does require a 4/5 vote to authorize this contract.

Time schedules to complete design and obtain environmental permitting did not allow for competitive bidding and still complete construction prior to onset of winter weather. On September 26, 2023, Cazadoro provided a construction cost estimate included in this report. Staff has reviewed the construction cost proposal and finds it to be reasonable.

While the emergency design addresses damage from the 2022/23 storms, these repairs are temporary. The watercourse, in its present configuration and condition, simply cannot convey the storm water flows generated in the watershed during high volume storm events.

Similarly, the Army Corps emergency permit is issued with the following conditions:

1. City to provide more information for a permanent solution within 12 months of emergency permit approval.
2. City to coordinate an interagency meeting with key stakeholders for April 2024. The purpose of the meeting is to discuss the permanent solution and feasibility options moving forward.
3. The Water Board would like to see an Alternatives Analysis for different design pathways towards a permanent solution.

A renewed sense of urgency has been reached by the local stakeholders and the City will need to continue to engage with them to seek a solution as well as identifying funding sources.

Staff recommends the City Council adopt a resolution authorizing the City Manager to execute a construction contract for the Emergency Seymour Outfall Repairs to Cazadoro Construction, Inc. of San Francisco, California in the amount of \$223,215 and approve an additional contingency amount of 10 percent of the contract award amount (\$22,000) for a total project fund of \$245,215 for the emergency repair of the Seymour Outfall prior to the 2023/24 rainy season. As indicated previously, under Section 22050 of the Public Contract code, the action requested requires a 4/5 vote of the City Council and requires review of the continuing emergency at the Council's next regular meeting until construction is complete.

ATTACHMENTS:

1. Resolution

2. Draft Construction Plans
3. Construction Cost Proposal