



# Santa Clara Valley Water District

File No.: 24-0527

Agenda Date: 6/25/2024  
Item No.: \*4.12.

## BOARD AGENDA MEMORANDUM

Government Code § 84308 Applies: Yes  No   
(If "YES" Complete Attachment A - Gov. Code § 84308)

### SUBJECT:

Approve the Fiscal Year 2024 Schedule Adjustments to Projects in the Renewed Safe, Clean Water and Natural Flood Protection Program. (\*PREVIOUSLY LISTED AS ITEM 8.1)

### RECOMMENDATION:

Approve the Fiscal Year 2024 Schedule Adjustments to projects in the renewed Safe, Clean Water and Natural Flood Protection Program.

### SUMMARY:

In November 2020, voters overwhelmingly approved the renewed Safe, Clean Water and Natural Flood Protection Program (Safe, Clean Water Program). The renewed Safe, Clean Water Program included estimated project schedules and identified a Change Control Process allowing schedules to be adjusted with Board approval.

The construction schedules for Project E5: San Francisquito Creek Flood Protection (Upstream of Highway 101 (26284002)) and Project E6: Upper Llagas Creek Flood Protection (Phase 2B Construction (26174055)) need to be adjusted and the reasons for the schedule adjustments are detailed below. The Safe, Clean Water Program annual report for Fiscal Year 2024 (FY24) will include the adjustments.

### Project E5: San Francisquito Creek Flood Protection (Upstream of Highway 101)

The project is led by the San Francisquito Creek Joint Powers Authority (SFCJPA), of which Santa Clara Valley Water District (Valley Water) is a member agency. The schedule adjustment entails delaying construction by a year to begin in FY25 instead of FY24 and extending completion and the delivery of the key performance indicator (KPI) #2, not including the plant establishment periods, by two years to be completed in FY28 instead of FY26, as reflected in the Capital Improvement Program FY 2025-29 Five-Year Plan (CIP FY2025-29).

The project consists of four subprojects: Newell Road Bridge Replacement, which begins construction in FY25; Channel Widening; Top-of-Bank Improvements; and Pope/Chaucer Street

Bridge Replacement. The construction phase is anticipated to be completed in FY28.

The schedule adjustment is required for various reasons. The construction start of the Newell Road Bridge Replacement project, which was to begin in FY24, has been delayed by a year to begin in FY25. The delay is primarily due to right-of-way acquisition and regulatory permit issues. Channel Widening, Top-of-Bank Improvements, and the Pope/Chaucer Street Bridge Replacement subprojects are delayed because of the design changes resulting from the hydraulics/hydrology model changes. The hydraulic model, which was recalibrated following the storms that caused the creek banks to overflow on December 31, 2022, was validated by a third party consultant in early 2024.

The schedule adjustment provides SFCJPA time to change the design and revise the supplemental EIR, considering the new findings from the newly calibrated hydraulic/ hydrology model.

*Project E6: Upper Llagas Creek Flood Protection (Phase 2B Construction)*

This project is being constructed in three phases, with Phase 2B being the last phase. The Phase 2B construction, which is to be funded by a Natural Resources Conservation Services (NRCS) grant, is expected to begin in early FY25 instead of the end of FY24, a delay of a few months.

The delay is primarily due to the coordination with the local project partner, the City of Morgan Hill, with the finalization of their local improvement plans incorporated into the Valley Water contract documents. The Phase 2B Specifications could not be finalized until the city had completed its plans so Valley Water could capture the various city (non-Valley Water) separate bid items to assist with the NRCS grant funding accounting. However, there is currently no anticipated delay in the completion of the construction, which is expected in FY27, not including the 3-year plant establishment period following construction.

The Board adopted the Plans and Specifications on May 14, 2024, and authorized advertisement for bids for construction. The construction bids are scheduled to be opened on June 26, 2024, and the construction contract award is tentatively scheduled for July 9, 2024.

**ENVIRONMENTAL JUSTICE AND EQUITY IMPACT:**

There are no Environmental Justice Impacts associated with this item. Environmental Justice of the projects will be assessed and addressed in future board actions related to individual project execution.

**FINANCIAL IMPACT:**

There is no financial impact associated with this item.

**CEQA:**

The recommended action does not constitute a project under CEQA because it does not have a

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potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

**ATTACHMENTS:**

Attachment 1: PowerPoint

**UNCLASSIFIED MANAGER:**

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