



# Santa Clara Valley Water District

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**File No.:** 17-0768

**Agenda Date:** 11/28/2017

**Item No.:** 6.2.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Update on the Condition of the Stevens Creek Bank Erosion Repair Emergency Project, Project No. 62062003 (El Nino Flood Emergency Response) (Mountain View) (District 7), and Determination that the Condition of the Stevens Creek Bank Erosion has been Repaired and an Emergency Condition no Longer Exists. (PREVIOUSLY LISTED AS ITEM 3.4)

### **RECOMMENDATION:**

- A. Receive an update on the condition of the Stevens Creek bank erosion emergency project; and
- B. Terminate the emergency action declared by the Chief Executive Officer (CEO) on August 18, 2017, pursuant to California Public Contract Code §22050, to repair Stevens Creek bank erosion, downstream of El Camino Real, (SR-82) (Project) Project No. 62062003 (El Nino Flood Emergency Response), Task Code No. 1062, Facility ID No. 1029, (Mountain View) (District 7).

### **SUMMARY:**

On August 18, 2017, the CEO declared that the condition of the maintenance access road/trail along Stevens Creek constituted an emergency pursuant to California Public Contract Code §22050, and that District staff may repair the facility and take any directly related and immediate action required by that emergency. The bank erosion along Stevens Creek from El Camino Real to Yuba Drive has been repaired to a stable condition until a permanent fix is completed next year to fully restore the trail and maintenance road to its as-built condition, therefore, the conditions that constituted the emergency no longer exist (Attachment 1: PowerPoint).

The contractor finalized installation of all applicable construction Best Management Practices (BMPs), and work was completed on November 10, 2017, seven days ahead of the 50-day contract deadline. The temporary trail was reopened for public use on November 13, 2017. Information pertaining to the temporary trail opening was updated on both the District and City of Mountain View websites, as well as on Nextdoor app.

Below is a summary of staff and Board actions taken to date:

- A. 8/18/2017, CEO declared emergency pursuant to Public Contract Code §22050
- B. 8/22/2017, Item 2.6-A: By a unanimous vote, the Board added agenda item to the regular

- Board meeting to consider the emergency declaration made by the CEO and determined the emergency action should continue. View additional information here: <http://bit.ly/2h83grl>
- C. 9/12/2017, Item 3.4: Staff requested that the Board determine, by a four-fifths vote, that there is a need to continue the emergency declared by the CEO on August 18, 2017. View additional information here: <http://bit.ly/2x8zFrz>
  - D. 9/26/2017, Item 3.10: Staff recommended that consistent with the determination made by the Board on September 12, 2017, the Board determine by a four-fifths vote, that there is a need to continue the emergency action declared by the CEO on August 18, 2017. View additional information here: <http://bit.ly/2wXYZSF>
  - E. 10/10/2017, Item 3.4: Staff recommended that consistent with the determination made by the Board on September 26, 2017, the Board determine by a four-fifths vote, that there is a need to continue the emergency action declared by the CEO on August 18, 2017. View additional information here: <http://bit.ly/2xyDeZQ>
  - F. 10/24/2017, Item 3.1: Staff recommended that consistent with the determination made by the Board on October 10, 2017, the Board determine by a four-fifths vote, that there is a need to continue the emergency action declared by the CEO on August 18, 2017. View additional information here: <http://bit.ly/2xjOogN>
  - G. 11/14/2017, Item 3.1: Staff recommended that consistent with the determination made by the Board on October 24, 2017, the Board determine by a four-fifths vote, that there is a need to continue the emergency action declared by the CEO on August 18, 2017. View additional information here: <http://bit.ly/2AmUJZQ>

The construction work started on October 3, 2017 with installation of BMPs to comply with the permit requirements. The emergency repair work included construction of 175-foot long and 50-foot deep shoulder pile wall, installation of 1-ton rocks, grading of 35-foot deep slope at 1.5 H: 1V with the shoulder pile wall in place, securing the site for re-opening of the temporary trail, and winterization of the site.

All repair work was completed on Nov 10, 2017 and the City opened the temporary trail on Nov 13, 2017.

#### **FINANCIAL IMPACT:**

A purchase order was issued on Sep 27, 2017 to the lowest bidder Blue Iron Foundations and Shoring, L.L.C. for an amount of \$494,700 after obtaining four bids via District's public procurement process. The contract payment is based on the Caltrans standard 9-1.04 Force Account. However, accurate final costs will not be known until the work is completed. The district will pursue reimbursement of Project costs from FEMA since they have tentatively agreed to reimburse the District for up to 93% of the Project costs.

Funding for this Project is not specifically budgeted in FY18 budget. A special project/activity code has been generated to track contract costs, labor, and overhead (62062003-1062) under Stream Stewardship fund 12. There are ample reserves in fund 12 to cover this expense and staff will bring a budget adjustment for Board approval at a future meeting if reserves end up being needed.

**CEQA:**

The repair is exempt under the California Environmental Quality Act Section 21080(b)(2) which exempts emergency repairs to public service facilities necessary to maintain service.

**ATTACHMENTS:**

Attachment 1: PowerPoint.

**UNCLASSIFIED MANAGER:**

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