



# Santa Clara Valley Water District

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**File No.:** 19-0293

**Agenda Date:** 4/9/2019

**Item No.:** 3.4.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Uvas Creek Levee Rehabilitation Project Phase 2, Project No. 62084001, Task No. 5175, Contract No. C0648, (Gilroy) (District 1).

### **RECOMMENDATION:**

- A. Adopt Plans and Specifications and Authorize Advertisement for Bids for Construction of the Uvas Creek Levee Rehabilitation Project Phase 2 per the Notice to Bidders; and
- B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

### **SUMMARY:**

#### ***Background and Project Description***

During FY2018, the Watersheds Operations and Maintenance Division requested Watersheds Design and Construction Division to address the levee erosion caused by squirrels which burrowed holes along the levee slopes at Uvas Creek. Despite implementation of a long-term burrowing animal abatement program, animal burrows continue to persist throughout the levee's landside and riverside slopes along the entire length of the creek. If left unabated, the current condition could cause levee failure by sloughing, slumping, and/or piping through the levee during high storm events. To maintain the U.S. Army Corps of Engineers' "Acceptable" ranking for a certified levee, construction for Phase 2 of this Project is proposed for this year. The Phase 1 construction, which started in September 2018, is scheduled to be completed by May 2019. Phase 1 addresses levee conditions for the outboard slope of the levee, while Phase 2 addresses the inboard slope of the levee (Attachment 1).

This levee restoration project is being performed separately for the inboard slope and outboard slope phases, since California Department of Fish and Wildlife (CDFW) is claiming jurisdictional rights to the inboard slope of the levee (Phase 2) and has required the District to obtain a Streambed Alteration Agreement (SAA). To remain in good faith with the project construction schedule and expectations originally conveyed to City of Gilroy and the public, District staff pursued implementing construction work for the outboard slope of the levee (Phase 1) in September 2018, while the inboard levee, Phase 2 is being coordinated with CDFW to obtain the SAA for Phase 2.

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The scope of this Project will: A) repair damage to approximately 4,100 feet of the inboard face of the levee, downstream of Miller Avenue towards the end of the levee, which is downstream of West Luchessa Avenue, adjacent to the City of Gilroy Sports Park; B) reduce frequent maintenance costs associated with levee erosion repair; C) reduce the risk of levee/bank slope failure due to damage caused by burrowing animals; and D) rehabilitate approximately 6,700 feet of the access road/trail from Miller Avenue to the end of the levee.

The City of Gilroy and the District are entering into an agreement to improve the current condition of the access road/trail from Miller Avenue to the end of the levee, for which the City has allocated \$270,000 in fiscal year 2019-2020 for this agreement.

This Project, including Phase 1 and Phase 2, is a covered activity included in the Santa Clara Valley Habitat Plan (VHP). A VHP "Certificate of Compliance" was issued for the Project in August 2018, pursuant upon VHP fee payment for restoration of both inboard and outboard levee slopes. Based on the VHP certification, future levee maintenance and rehabilitation work within the same project limits can be performed for a period of 50 years without any additional fees. The District will utilize the VHP permits to comply with the federal and state endangered species laws, as prescribed by the VHP.

Upon Board approval of the recommendations, staff will proceed to advertise for bids for Project construction with the Notice to Bidders (Attachment 2).

### ***Next Steps***

If Board authorizes advertisement of bids for the Project, the upcoming Project milestones are:

- a) Board's award of construction contract for Phase 2 of the Project: May 28, 2019
- b) Begin construction: mid-June 2019
- c) Complete construction: mid-October 2019

### **FINANCIAL IMPACT:**

The estimated construction cost for the Project is between \$4.2M and \$4.5M. There are sufficient funds available in the FY2019 Project budget to cover this cost. The funding source for the Project is the Watersheds Stream Stewardship Fund 12.

As part of the estimated construction cost, the City plans to contribute \$270,000 for the access road/trail rehabilitation portion of the Project.

### **CEQA:**

Project activities are covered under the VHP, and the Board adopted the Final Initial Study/Negative Declaration for the Project on July 10, 2018.

During the time between the bidding process and bid opening, staff is expecting issuance of the SAA

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from CDFW. CDFW has informed the District that it will issue a SAA, if required, by May 6, 2019, prior to the May 15, 2019 bid opening. If needed, any conditions required by the SAA will be incorporated into the bid documents through the pre-bid addendum process.

**ATTACHMENTS:**

Attachment 1: Project Location Map

Attachment 2: Notice to Bidders

Attachment 3: Project Delivery Process Chart

**UNCLASSIFIED MANAGER:**

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