



Santa Clara Valley Water District

File No.: 21-0110

Agenda Date: 1/26/2021

Item No.: *3.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Adopt Plans and Specifications and Authorize Advertisement for Bids for the Lower Calera Creek Flood Protection Project, Project No. 40174005, Contract No. C0666 (Milpitas) (District 3).

RECOMMENDATION:

- A. Adopt Plans and Specifications and Authorize Advertisement for Bids for the Lower Calera Creek Flood Protection Project, per the Notice to Bidders; and
- B. Authorize the Designated Engineer to issue addenda, as necessary, during the bidding process.

SUMMARY:

The objective of the Lower Calera Creek Flood Protection Project (Project) is to provide flood protection to the surrounding area from a 1-percent flood event. This Project is part of the Lower Berryessa Creek flood protection improvements in the City of Milpitas. The Project entails constructing new floodwalls with architectural treatment, headwalls, maintenance roads, wetland and landscape plants for mitigation, and three-year plant establishment and maintenance phase.

Staff is recommending the Board approve the Project's final plans and specifications and authorize staff to advertise for construction bids.

Project Background

The Lower Berryessa Creek Project, which extends approximately 1.6 miles from its confluence with Lower Penitencia Creek upstream to Calaveras Boulevard, is part of a number of flood protection improvements within the City of Milpitas (Attachment 1). This Project will protect the surrounding area by removing approximately 1,800 parcels from the 1-percent floodplain and provide improved maintenance access to the channel. Construction of the Lower Berryessa Creek Project is being undertaken in 2 phases.

Phase 1 was completed in December 2016 and included improvements from the Lower Penitencia Creek confluence up to Abel Street. Phase 2 includes the segment along Lower Berryessa Creek between Abel Street and Calaveras Boulevard and a segment of Calera Creek from the Union Pacific Railroad that spans to about 880 feet upstream of Arizona Avenue (i.e. Lower Calera Creek). The civil construction work for the Phase 2 portion of Lower Berryessa Creek was completed in July 2020.

The Lower Calera Creek Flood Protection Project is the last element of Phase 2. Construction of the Project is anticipated to take two construction seasons with civil work estimated to be completed by December 2022, to be followed by a three-year plant establishment and maintenance phase.

Permits

Staff have obtained all required regulatory permits for construction of the Project from the San Francisco Bay Regional Water Quality Control Board (Section 401 Water Quality Certification), the U.S. Army Corps of Engineers (Section 404 of the Clean Water Act), and the California Department of Fish and Wildlife Services (Lake or Streambed Alteration Agreement). A construction access permit from the Santa Clara Valley Transportation Authority was also issued for work near the railroad corridor. Contractor-obtained permits necessary for work within City of Milpitas right of way are described in and required by the Contract Documents.

Board Adoption of Plans and Specifications and Addenda Authorization

Board adoption of plans and specifications and Board authorization to advertise is needed to proceed to bid the Project for construction. Authorizing the Designated Engineer to issue addenda during the bidding allows for modifications to the construction contract documents, if necessary, during the bidding period and before the contract is awarded.

Relevant Prior Board Action(s)

On December 13, 2011, the Board adopted a resolution adopting the Final EIR for the Lower Berryessa Creek and Lower Calera Creek improvements, the Mitigation Monitoring and Reporting Program, and approved the Project.

Outreach to Bidders

As part of the District's customary small and local business outreach, the following routine steps will be taken: 1) the Notice to Bidders (Attachment 2) will be sent to minority business Chambers of Commerce and small business groups; 2) the Notice will be sent to certified small business contractors and local and regional firms that have the appropriate license for this type of work; and 3) the Notice will be provided to the Santa Clara and San Benito Counties Building and Construction Trades Council, which maintains contacts with at least 500 contractors and 70 union representatives, for distribution to their members.

Next Steps

If the Board approves the recommendations, staff will proceed to advertise for bids for Project construction. The next Board action is award of the construction contract, tentatively scheduled for March 23, 2021. Project Delivery Process (Attachment 3) highlights the current Project phase and the staff recommendations before the Board.

FINANCIAL IMPACT:

The Berryessa Creek, Lower Penitencia Creek to Calaveras Blvd. Phase 2, Project No. 40174005 is included in the Five-Year Capital Improvement Program FY 2021-2025. The estimated construction contract cost of the Project is approximately \$18.9 million to \$24.2 million, and a budget adjustment for approximately \$10.6 million will be forthcoming with the Midyear Budget agenda memo to the Board in January/February 2021. Construction costs encumbered for this Project will be phased over two years. With approval of the budget adjustment, the Project will have adequate funding in the FY21 budget to encumber a portion of the construction contract.

CEQA:

Valley Water is the lead agency under the California Environmental Quality Act for the implementation of the Project. On December 12, 2011, the Board adopted a resolution adopting the Final EIR and Mitigation Monitoring and Reporting Program and approved the Project. On October 2018, staff completed the First Addendum to the Lower Berryessa Creek Program Final Environmental Impact Report to address design changes along Lower Calera Creek. In December 2020, staff completed a Categorical Exemption for the Lower Berryessa Creek Trail Paving work that will be completed for Milpitas under this Project.

ATTACHMENTS:

Attachment 1: Map

Attachment 2: Notice to Bidders

Attachment 3: Project Delivery Process Chart

Attachment 4: Plans

Attachment 5: Specifications

*Handout 3.2-A: Revised Notice to Bidders Pg 5

UNCLASSIFIED MANAGER:

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