



# City of San Leandro

Meeting Date: December 14, 2020

## Staff Report

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**File Number:** 20-520 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:** 8.K.

**TO:** City Council

**FROM:** Jeff Kay  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** Susan Hsieh  
Finance Director

**TITLE:** Staff Report for a City of San Leandro City Council Resolution to Accept the Work of Pacific Underground Services for the Heron Bay Levee Maintenance, Project No. 2006.0111

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### SUMMARY AND RECOMMENDATIONS

The project installed engineered rip rap along an 87-foot long section of deteriorated shoreline levee adjacent to the paved Bay Trail, which is an emergency access route for the adjacent Heron Bay housing development.

Staff recommends the following actions:

- Accept the work of Pacific Underground Services;
- Direct staff to File the Notice of Completion; and
- Authorize the City Manager to release the Performance and Payment Bonds and release the Maintenance Bond for the subject project upon successful completion of the one-year maintenance period.

### BACKGROUND

The project is undertaken as part of the Heron Bay Maintenance Assessment District (Assessment District 96-3) work plan. Services to the District are provided by the City of San Leandro's Engineering and Transportation, Public Works, and Police Departments; the County of Alameda Public Works Agency; outside consultants, and outside contractors. The Assessment District provides funding for the maintenance of certain public improvements constructed as part of the Heron Bay housing development which include the marshlands and trail areas at the westerly end of Lewelling Boulevard.

The project improvements are intended to protect the levee and the adjacent Bay Trail segment against undermining due to shore erosion. This project replaced un-engineered rubble with engineered structural rip-rap improvements for a distance of 87 feet south of the last riprap

improvement completed in 2010. The completion of this project provides for the sustainability and the continued safe use of the Bay Trail, an important recreational pathway and a vital emergency access route for the residents of the Heron Bay housing development.

In addition to the levee work, the project removed a 240-square foot by 5 foot tall abandoned dock that was beached south of the project work area, as well as other debris over an adjacent 450 square foot area, per the permit requirements of the Regional Water Quality Control Board (RWQCB), a waterfront regulatory agency.

### **Analysis**

Contract work was completed and was performed in compliance with the contract documents and City standards.

The completed improvements will protect the levee and the adjacent Bay Trail segment from shoreline erosion.

In compliance with the permit requirements, a consultant, Horizon Water and Environment, was hired to monitor, document and provide an annual report for three-years on the re-establishment of the site vegetation.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure.

### **Previous Actions**

- On September 8, 2020, by Resolution No. 2020-115, City Council approved the following: an increase to the agreement amendment cap from 25% to 90% to the original contract with Pacific Underground Services for the subject project; an individual change order of 53% of the original construction contract with Pacific Underground Services in the amount of \$43,262 for debris removal work required by permit; and appropriation of \$45,000 from the Heron Bay Maintenance Assessment District Fund Balance, to Account No. 147-42-150-5240.
- On October 7, 2019, by Resolution No. 2019-168, City Council approved a contract with Pacific Underground Services for \$82,420 for the Heron Bay Levee Maintenance, Project No. 2006.0111.

### **Committee Review and Actions**

- On September 4, 2019 staff updated the City Council Facilities and Transportation Committee on the project scope, cost and schedule.

### **Applicable General Plan Policies**

- Policy OSC-1.2 Park Maintenance. Provide for the regular, systematic maintenance of San Leandro's parks and recreational facilities to prevent deterioration, ensure public

safety, and permit continued public use and enjoyment.

**Permits and/or Variances Granted**

Permits were obtained from the following agencies for this project:

- Army Corps of Engineers (including consultations with the National Fish and Wildlife Service)
- Bay Conservation and Development Commission (BCDC)
- San Francisco Bay Regional Water Quality Control Board (RWQCB).

A three-year monitoring period for documenting re-establishment of the site vegetation is a permit requirement. A consultant, Horizon Water and Environment, was contracted to prepare annual reports documenting the site restoration.

**Environmental Review**

This project was deemed Categorical Exempt per California Environmental Quality Act (CEQA) section 15310 Class 1 (d) for existing structures. A CEQA Notice of Exemption was recorded on June 12, 2015 with the Alameda County Recorder's Office.

**Summary of Public Outreach Efforts**

Public Notices of the BCDC permit application were posted along the Bay Trail entrance at the southern end of Monarch Bay Drive, as well as on a bridge crossing west of Bayfront Drive.

**Fiscal Impacts**

The activities of the Heron Bay Maintenance Assessment District have no fiscal impact on the City since they are supported by annual levy assessments. All administrative and maintenance costs associated with the District are included within these assessments.

The total project cost is described below:

Permitting	\$103,600
Design	\$72,000
Total Construction Contract	\$125,682
Construction Management	\$16,718
<u>Site Biological Monitoring</u>	<u>\$47,000</u>
Total Cost	\$365,000

Change Order Summary (included in total project cost):

<u>CCO No.</u>	<u>Description</u>	<u>Amount</u>	<u>%</u>
1	<u>Added scope to remove abandoned dock</u>	<u>\$43,262</u>	<u>53%</u>
	<b>Change Order Total</b>	<b>\$43,262</b>	<b>53%</b>

**Budget Authority**

The project construction was funded from the Heron Bay Maintenance Assessment District (Assessment District 96-3) as follows:

**Current Funding:**

Account No.	Resolution.	Appropriation Date	Amount
147-42-150-5240	Res. 2019-168	Oct 7, 2019	\$350,000
147-42-150-5240	Res. 2020-115	Sept. 8, 2020	\$45,000
<b>Total Project Funding:</b>			<b>\$395,000</b>

**Attachment to Staff Report**

- Project Photos - Heron Bay Levee Maintenance.

**PREPARED BY:** Mark Goralka, Associate Engineer, Engineering and Transportation Department



**ORIGINAL LEVEE CONDITION**



**COMPLETED WORK WITH ENGINEERED LEVEE**

**HERON BAY LEVEE MAINTENANCE, COSL PROJECT NO. 2006.0110**



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Meeting Date: December 14, 2020

## Resolution - Council

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**File Number:** 20-519 **Agenda Section:** CONSENT CALENDAR

**Agenda Number:**

**TO:** City Council

**FROM:** Jeff Kay  
City Manager

**BY:** Keith Cooke  
Engineering & Transportation Director

**FINANCE REVIEW:** Susan Hsieh  
Finance Director

**TITLE:** RESOLUTION of the City of San Leandro City Council to Accept the Work of Pacific Underground Services for the Heron Bay Levee Maintenance, Project No. 2006.0111 (provides for the acceptance of the work performed by Pacific Underground Services, filing the Notice of Completion, releasing the Performance and Payment Bonds, and releasing the Maintenance Bond upon successful completion of the one-year maintenance period)

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WHEREAS, pursuant to a construction contract between the City of San Leandro and Pacific Underground Services, approved on October 7, 2019, by Resolution No. 2019-168, Pacific Underground Services has completed the Heron Bay Levee Maintenance, Project No. 2006.0111; and

WHEREAS, said work was completed in accordance with the plans and specifications and to the satisfaction of the Engineering and Transportation Director, who therefore recommends that said work be accepted.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That the work hereinbefore described is hereby accepted; and
2. That the City Clerk is hereby directed to file a Notice of Completion on said project;  
and
3. That the bonds heretofore given for performance and payment of said conditions are hereby discharged and exonerated from further liability when the statute of limitations expires after the recording of the Notice of Completion; and
4. That upon completion of the one-year maintenance period established pursuant to said contract, and to the satisfaction of the Engineering and Transportation Director, the City Manager is hereby authorized to release the maintenance bond heretofore given for maintenance of the

work hereinbefore described.