



Midpeninsula Regional  
Open Space District

R-13-87  
Meeting 13-23  
September 25, 2013

## **AGENDA ITEM 8**

### **AGENDA ITEM**

Authorization to Amend a Contract with TKO General Engineering and Construction for Revisions to the El Corte de Madera Creek Open Space Preserve Staging Area

### **GENERAL MANAGER'S RECOMMENDATION** *SM*

Authorize the General Manager to amend an existing contract with TKO General Engineering and Construction (TKO) by \$235,000, for a total not-to-exceed amount of \$854,000, to construct drainage revisions at the El Corte de Madera Creek Open Space Preserve staging area.

### **SUMMARY**

On July 25, 2012 (R-12-69), TKO was awarded a contract to construct the staging area and connector trail at El Corte de Madera Creek Open Space Preserve (Preserve). The project was completed in October, 2012, but subsequent winter storms in December resulted in a storm water drainage system failure that caused flooding to a neighboring property. Emergency repair work was necessary to halt overflows from the staging area's three bioretention basins. District staff expected ARCADIS, the then engineer of record, to evaluate the issue and submit a long-term redesign fix, and worked with them over several months toward that end. However, with time running out to get the corrective work done before the 2013 rainy season, and no acceptable solution presented by ARCADIS by the end of June, 2013, the District proceeded to work with a new engineer, Balance Hydrologics, Inc., (Balance) to design the fix (R-13-61). Design revisions were submitted to San Mateo County at the end of August and the building permit obtained two weeks later. Revisions to the drainage system total \$335,000. Approximately \$100,000 remains on TKO's current contract. Therefore, staff recommends increasing the contract by \$235,000 to cover the remaining construction costs. Funds for this contract amendment are available from budget savings of other Planning projects.

### **DISCUSSION**

Since December, 2012, District staff had been working with ARCADIS, the then project engineer of record, to attempt to solve the ongoing drainage problems at the staging area. By the end of June, 2013, no solution was yet imminent, and the District proceeded with Balance to design a fix as quickly as possible and submit design revisions to San Mateo County for its review and approval. Balance began coordinating immediately with TKO, Caltrans, the County, and California Water Service Company to prepare a design fix that includes a fourth storm water

detention basin north of the driveway entrance and a pipe outflow to the west of the site that will direct water away from Skyline Boulevard and into the interior of the Preserve. These changes will reduce the amount of the water draining towards the neighboring property to less than 0.5 cubic foot per second, well below the calculated pre-project flows of 1.46 and 2.67 cubic feet per second for the 25-year, 24-hour and 100-year, 24-hour design storms. Two on-site meetings with County staff were held to clarify and gain approval of the drainage revision concept.

The drainage fix includes the following:

1. Constructing a large, new basin located north of the driveway.
2. Enlarging both upper basins at the top of the site.
3. Filling in the lower basin, which adds little to the drainage capacity of the system, is very deep, and potentially hazardous.
4. Capping and abandoning the existing piping from the upper basins.
5. Installing new storm drainage infrastructure (new piping, outflow control structures, trench drain across the driveway).
6. Trenching and piping across the upper parking lot pavement to connect the two upper basins and to install a pipe outflow to the west.

### **TKO Contract**

TKO's contract was amended on January 9, 2013 (R-13-12) to allow the contractor to implement any further emergency work needed through the 2012 winter and to begin work as soon as a solution was designed. The January amendment of \$125,000 was set as roughly 25% of the then construction budget (\$493,000), which included the original base bid of \$389,688 and a contingency amount of \$104,312.

The cost breakdown for the \$854,000 total contract amount is as follows:

- |                                |  |
|--------------------------------|--|
| 1. Base bid                    | \$389,688  |
| 2. Original contingency        | \$104,312 (covered Change Orders 1 – 4)                                |
| 3. Amendment in January, 2013  | \$125,000 (covered emergency work, \$100,000 remains for drainage fix) |
| 4. Current requested amendment | \$235,000  |

### **Cost Analysis**

TKO's estimate for the current drainage system revisions is \$335,000 due to the following reasons:

1. The extent of work necessary to implement the fix, including grading needed for all three existing basins and the new fourth basin, cutting of existing pavement, new piping and storm water structures, new fencing, temporary removal and reinstallation of existing structures to allow access, and landscaping. Little of the site will remain untouched by the new work.
2. The scarcity of construction workers available due to the boom in the Bay Area's construction industry.
3. The constraint of working around and protecting the parking lot's newly built features.
4. The need to finish as quickly as possible.

Time is of the essence given the coming winter months. Staff recommends amending the existing contract amount with TKO by an additional \$235,000 to complete the drainage system fixes before the rains begin in earnest.

**FISCAL IMPACT**

The Planning FY2013-14 Budget contains \$275,000 for costs associated with this project. Most of this budget is already encumbered; therefore, a mid-year budget adjustment would be required to cover the \$235,000 contract amendment. Savings from the Administrative Office (AO) and AO2 Move, Ancient Oaks Trail, Cooley Landing, and Mindego Hill Trail projects will be reallocated towards the unbudgeted project costs.

**BOARD COMMITTEE REVIEW**

No Board Committee review is required for this portion of the Project.

**PUBLIC NOTICE**

Public notice of this Agenda Item was provided per the Brown Act. No additional notice is required.

**CEQA COMPLIANCE**

Staff completed a Mitigated Negative Declaration for the Project, which the Board of Directors adopted on February 10, 2010. A Notice of Determination was filed with the San Mateo County Clerk Recorder on February 16, 2010. The Board of Directors adopted an Addendum to the Mitigated Negative Declaration on March 14, 2012. The planned work at the site is consistent with the findings of the Mitigated Negative Declaration.

**NEXT STEPS**

Upon approval by the Board of Directors, the General Manager would amend the contract with TKO to construct the fix for the staging area project. Work is scheduled to begin in September, 2013 and is expected to last approximately two months. Staff will prepare a request to extend the construction season past October 1<sup>st</sup> for the County's review and approval.

Moreover, General Counsel will bring a case evaluation to you in closed session to discuss options for pursuing recovery of the costs for these repairs, once complete.

Attachments:

1. Site Plan

Responsible Department Head:

Tina Hugg, Co-Acting Planning Manager/Planner III

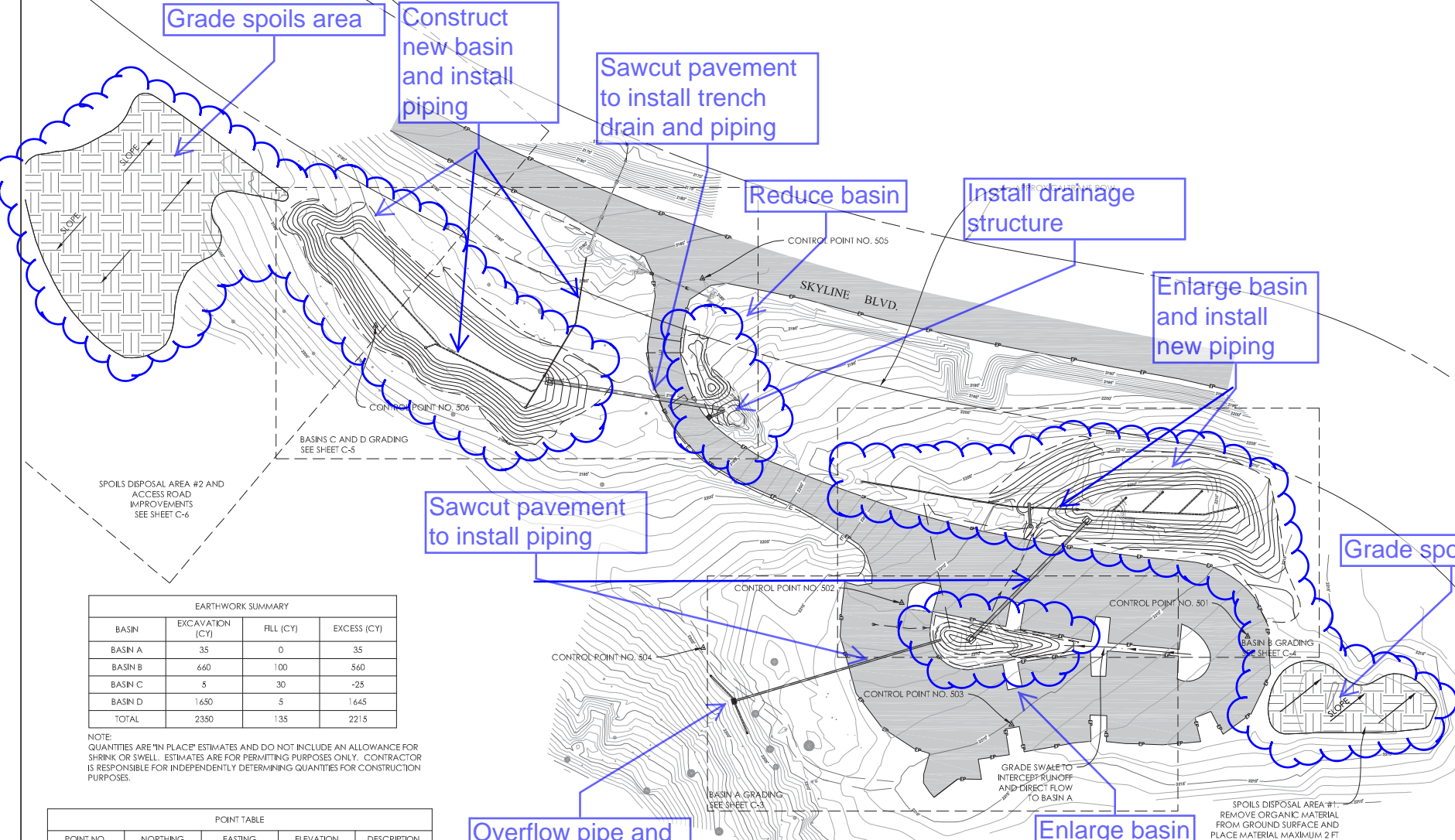
Prepared by:

Tina Hugg, Co-Acting Planning Manager/Planner III

Contact person:

Tina Hugg, Co-Acting Planning Manager/Planner III

**Attachment 1**



BASIN	EXCAVATION (CY)	FILL (CY)	EXCESS (CY)
BASIN A	35	0	35
BASIN B	660	100	560
BASIN C	5	30	-25
BASIN D	1650	5	1645
TOTAL	2350	135	2215

NOTE:  
 QUANTITIES ARE "IN PLACE" ESTIMATES AND DO NOT INCLUDE AN ALLOWANCE FOR SHRINK OR SWELL. ESTIMATES ARE FOR PERMITTING PURPOSES ONLY. CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING QUANTITIES FOR CONSTRUCTION PURPOSES.

POINT NO.	NORTHING	EASTING	ELEVATION	DESCRIPTION
501	1972946.470	6040390.440	2217.180	SET MAGNAIL
502	1972967.410	6040174.560	2210.680	SET MAGNAIL
503	1972891.400	6040243.160	2215.070	SET MAGNAIL
504	1972939.405	6040050.718	2205.090	SET MAGNAIL
505	1973169.770	6040050.188	2185.990	SET MAGNAIL
506	1973140.577	6039846.387	2191.370	SET REBAR

SPOILS DISPOSAL AREA #1:  
 REMOVE ORGANIC MATERIAL FROM GROUND SURFACE AND PLACE MATERIAL MAXIMUM 2 FT DEEP AND FINISH GRADE SMOOTH CONTOURS. SLOPE SURFACE TO DRAIN AS SHOWN.  
 NO COMPACTION REQUIRED. PLACE ALL MATERIAL EXCAVATED FROM BASIN A AND B AT THIS SITE.



SCALE: 1" = 30'



DESIGNED BY	DATE	BY	SUBMITTALS / REVISIONS
E. BALLMAN	8-23-13	EB	REVISION TO BID 2013-0304
TRAMANBY			
D. JEFFSON			
CHECKED BY			
E. RIEDNER			
IN CHARGE			
E. BALLMAN			
DATE			
	2013.0823		



GENERAL LAYOUT  
 ECDM PRESERVE STAGING AREA  
 SAN MATEO COUNTY, CALIFORNIA

PROJECT NUMBER  
 212165  
 SCALE  
 1" = 30'  
 SHEET

**C-2**  
 OF 12

ISSUED FOR PERMIT  
 NOT FOR CONSTRUCTION

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