



## Legislation Details (With Text)

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**Title:** CONSIDER APPROVAL OF THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY, TO EXTEND THE TIMELINE OF THE CONSTRUCTION MANAGEMENT SERVICES FOR PROJECT 1515 - CARSON STORMWATER CAPTURE FACILITY AT CARRIAGE CREST PARK (CITY COUNCIL)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Current Stormwater Project Services Agreement, 2. Amendment No 1. Project Services Agreement, 3. Resolution No. 20-019

Date	Ver.	Action By	Action	Result
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## Report to Mayor and City Council

Tuesday, January 14, 2020

Consent

### SUBJECT:

**CONSIDER APPROVAL OF THE FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH THE COUNTY SANITATION DISTRICT NO. 2 OF LOS ANGELES COUNTY, TO EXTEND THE TIMELINE OF THE CONSTRUCTION MANAGEMENT SERVICES FOR PROJECT 1515 - CARSON STORMWATER CAPTURE FACILITY AT CARRIAGE CREST PARK (CITY COUNCIL)**

### I. SUMMARY

On July 19, 2016, the City Council approved Item No. 19 - the Stormwater Project Services Agreement with the County Sanitation District No. 2 of Los Angeles County (District) authorizing the Design and Construction Management of Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park (Exhibit No. 1). The estimated date to complete the services was August 2019.

Due to unforeseen work, this project is experiencing delays, and the construction is now estimated to be completed by December 2020. The first amendment to the District's current agreement is necessary to accommodate the extended construction timeline, along with the additional associated costs, and to continue construction management services

through the entire construction phase of the project (Exhibit No. 2).

## **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE the First Amendment to the Professional Services Agreement with the County Sanitation District No. 2 of Los Angeles County, to reflect an extension of the time of service for a negotiated fee of not-to-exceed \$925,000.00.
2. APPROVE Resolution No. 20-019 to appropriate \$925,000.00 from the unreserved, undesignated Measure W Stormwater account balance to augment the amount currently budgeted for this contract.
3. AUTHORIZE the Mayor to execute the First Amendment to the Professional Services Agreement with the County Sanitation District No. 2 of Los Angeles County, following approval as to form by the City Attorney.
- 1.

## **III. ALTERNATIVES**

DO NOT APPROVE the First Amendment to the Professional Services Agreement with the County Sanitation District No. 2 of Los Angeles County.

1. TAKE another action the City Council deems appropriate, consistent with the requirements of the law.

## **IV. BACKGROUND**

In November 2012, the Los Angeles Regional Water Quality Control Board (Regional Board) adopted the fourth National Pollutant Discharge Elimination System (NPDES) Permit. The NPDES Permit was established for the purpose of protecting the beneficial uses of the City's stormwater run-off to the Dominguez Channel, Machado Lake, and Compton Creek (receiving water) in the Los Angeles region by ensuring that the stormwater discharges are not causing or contributing to exceedances of applicable water quality permit standards. The NPDES Permit allowed the City to customize the stormwater program through the development and implementation of an Enhanced Watershed Management Program (EWMP) designed to achieve compliance with receiving water limitations.

On December 15, 2015, the City Council approved Item No. 28, the submittal of the addenda to the Dominguez Channel Watershed Management Area (DCWMA) Group, Enhanced Watershed Management Program (EWMP) and the Coordinated Integrated Monitoring Program (CIMP) in order to incorporate the City of Carson as a member of the

DCWMA Group. The addendum to the EWMP for the DCWMA Group was approved by the Regional Board on April 21, 2016. As a member of the DCWMA Group, the City must demonstrate to the Regional Board their ability and commitment to fund and construct specific stormwater capture projects.

Since the significant cost of purchasing land adversely impacts the viability of stormwater capture projects, one of the strategies that the Regional Board has encouraged is for cities to convert existing open space area to capture and treat stormwater. Carriage Crest Park was identified as a high priority site for a regional stormwater capture project due to its proximity to two large storm drains with a total drainage area of 1,146 acres. This area discharges to Machado Lake via the Wilmington Drain.

On June 8, 2016, the City Council approved Item No. 39 to secure a \$13M grant from Caltrans through a Cooperative Implementation Grant Program to fund Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park. The Cooperative Implementation Grant Program Agreement between Caltrans and the City of Carson specified the design and construction of a joint use project to capture stormwater.

On July 19, 2016 the City Council approved item No. 19, Stormwater Project Services Agreement with the District for the design and construction management of Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park with a negotiated fee of not-to-exceed \$2,851,000. The City retained the services of the District on a time and materials basis, in order to support planning, design, and construction management. At that time, construction was expected to complete by August 30, 2019.

The design plans were completed by the District, and on January 23, 2018, the PS&E was approved by the City Council and staff was authorized to advertise the project for construction bid. On April 2018, a construction contract was awarded to the lowest responsive and responsible bidder, OHL, Inc. for the construction of Project No. 1515. At the time of award, the project was expected to be constructed in 20 months and completed around December 2019.

The project includes the construction of a stormwater diversion and capture system by installing massive concrete stormwater chambers underground at Carriage Crest Park. This project is part of Carson's MS4 permit compliance strategy, which will reduce stormwater pollution to Machado Lake and the Wilmington Drain. The installation of stormwater chambers requires that the baseball field be excavated approximately 30 feet below the ground surface. Wet-weather and dry weather runoff from the L.A. County Flood Control District storm drain will be intercepted and diverted to an underground storage facility at Carriage Crest Park. The captured runoff will then be discharged to the Sanitation District's sanitary sewer for treatment at the Joint Water Pollution Control Plant. This will address the surface water quality issues, provide new supplies of reclaimed water for irrigation, and also enhance the ground water supplies.

One of the early challenges of Project 1515 was the weather; unfortunately, the project was under construction during the wettest year in California in recent memory. The rain greatly saturated the ground during excavation activities, which impacted the contractor's operation and schedule. The additional time to pump out the rain water and allow the soil to dry caused major challenges and delays to the project, including the additional curing time associated with the shoring. Unforeseen site conditions related to contaminated site

soils and utility conflicts have also caused delay issues. The extent of the excavation led to the discovery of additional contaminated soil in multiple areas, which subsequently required additional soil testing and hazardous waste management.

Due to construction delays, the project is behind schedule and construction is currently expected to be completed in September 2020. However, it is uncertain if contractor will be able to finish construction in September 2020, or if there will be additional delay this rainy season that will push the completion to December 2020. Given the uncertainty, the District submitted a proposal requesting that a budget increase of \$925,000 be allocated to provide construction management services through December 2020, on a time and material basis. The requested funds will be used to cover: a) additional unforeseen construction delays into late 2020, b) preparation of an O&M agreement per the City's Memorandum of Understanding with Los Angeles County, and, c) additional time/resources for facility startup once the construction is completed.

It should be noted that once the project is complete, the operating and maintenance budget for the facility is expected to be between \$350,000 and \$450,000 per year, depending on rainfall, which will be presented to City Council on a separate item after the project completion. The operating and maintenance costs will be shared between the City of Carson and the County of Los Angeles pursuant to the cost sharing Memorandum of Understanding with the County. City staff intends to seek reimbursement from Measure W for Carson's costs.

Staff has reviewed the proposal submitted by the District for the additional funding, and recommends that City Council approve the first amendment to the Stormwater Project Services Agreement with the District, to accommodate the extended construction management timeline through December 2020, for a negotiated fee of not-to-exceed \$925,000, and a total fee of not-to-exceed \$3,776,000 for the design and construction management of Project No. 1515 - Carson Stormwater Capture Facility at Carriage Crest Park.

## **V. FISCAL IMPACT**

Funds for the original contract in the amount of \$2,851,000 were included in the Caltrans \$13M dollar grant; however, the total cost to complete the design and construction management services for the project exceeds the amount budgeted. Therefore, the budget will need to be increased by \$925,000 (additional 12 months budget of \$75,000 each month). If the City Council Adopts proposed Resolution No. 20-019 (Exhibit No. 3), funds should be appropriated from Measure W to Project 1515. Currently there are available funds in the amount of \$2,500,000 in the Measure W Stormwater account. Funds in the amount of \$925,000 will be transferred from the Measure W Stormwater account 295-99-999-999-4513 to the CACIPGRANT account 295-80-820-904-8011.

## **VI. EXHIBITS**

1. Stormwater Project Services Agreement with the County Sanitation District No. 2 of Los Angeles County (pgs. 5-30).
2. First Amendment to the Professional Services Agreement (pgs. 31-33).

3. Resolution No. 20-019 (page 34)

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