



AGENDA REPORT

CITY OF SAN CLEMENTE

City Council Meeting

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: 7/18/2023

Agenda Item: 6M

Department: Utilities
Prepared By David Rebensdorf, Utilities Director

Subject:

CONSIDERATION OF A RESOLUTION APPROVING A CONTRACT CHANGE ORDER TO CONTINUE EMERGENCY PUMP WATCH SERVICES FOR TWO MONTHS WITH O'CONNELL ENGINEERING AND CONSTRUCTION, INC. AND APPROPRIATING SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION, PROJECT NO. 12209, THROUGH MARCH 2024 IN THE AMOUNT OF \$340,960

Summary:

On September 20, 2021, coastal bluff movement at Cyprus Shore necessitated an emergency response to ensure uninterrupted wastewater and storm drainage. City staff installed a temporary emergency sewer bypass pump system adjacent to the Cyprus Shore Clubhouse near the intersection of Calle Ariana and Avenue de las Palmeras. In addition, the City installed a temporary above ground storm drain system in coordination with the Cyprus Shores Homeowners Association. Both temporary emergency systems have been in continuous operation since the bluff began moving.

Due to the nearly completed slope stabilization project by the Orange County Transportation Authority (OCTA), City staff submitted an application for a California Coastal Development Permit to reinstate the existing sewer pump station by providing access to the motor control system and replacement of a portion of the storm drain system. Tentatively, the California Coastal Commission (CCC) will consider the application at its September 2023 meeting. If approved, appropriations and contracting will be presented to Council to complete the project expeditiously to minimize health and safety risks to the public and environment.

Until either an alternate pump station location or grading and the permanent replacement of the pump station motor control system is completed, the temporary emergency pump station operation using existing manholes with limited capacity (at a cost of approximately \$125,000 per month) will be replaced by using the existing pump station wet well with power from SDG&E and a temporary electrical motor control system. City staff is in the process of completing the construction of the temporary motor control system and anticipates connection to the existing pump station in late August/September.

In the interim, emergency funding and contracting authorization is necessary to continue conducting operations of the temporary pump station through September. If the CCC approves the project to reinstate the sewer pump station and replace the storm drain in September, the rest of the project will be completed in two main phases: 1. Slurry filling the gap in the landslide backscarp, potentially install caisson adjacent to the backscarp for lateral support, grading and installation of the storm

drain; and 2. Replacement of the sewer pump station motor control system once the access road is completed. Each phase could take up to six months to complete, although the sewer pump station may take longer depending upon the availability of materials.

City staff is currently evaluating long lead time items with potential vendors as well as exploring any local vendor opportunities. Depending upon the lead times, staff may return to the City Council in advance of CCC approval to expedite the project timeline.

Background:

Storm drain and wastewater collection service is provided to approximately 400 homes in the private community. In order to protect public health and safety, the City Council ratified the emergency Professional Services Agreement and construction contracts approved by the City Manager with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell) and an initial appropriation of funding for expenditures, including construction management/inspection services for Dudek Engineering, material purchases and rentals at its October 19, 2021 City Council Meeting. Subsequent to the initial movement, continued operation of the pump station with pump watch has been necessary due to lack of power from SDG&E and use of existing manholes with limited storage for pumping operation while a relocated facility was designed and an easement was being negotiated with Cyprus Shore Homeowners Association. But due to movement in the larger landslide extending to Calle Ariana, the construction of the relocated pump station and acquisition of easements within the larger landslide area was placed on hold in the fall of 2022 while the OCTA installed two rows of tie-backs within the coastal bluff. OCTA's construction is anticipated to be complete in July 2023.

Based on an evaluation of OCTA's completed slope stabilization project and information from Cyprus Shore's geologist LGC Geotechnical, slope stability will be determined which will allow the City to consider placing the sewer pump station back in service and restore the storm drain. The evaluation along with design plans for the facilities will be submitted to the CCC by August 1 as a supplement to the City's application for a Coastal Development Permit.

If the CCC approves the project in September, contracts can be considered to replace the storm drain, grade an access road to the sewer pump station electrical building and potentially install localized caissons to prevent movement of the sewer pump station and sewer line. During this interim time, staff is anticipating continued use of sewer manholes with pump watch for operation through September 2023.

City staff is currently working to complete a temporary electrical control system to place the existing sewer lift station back into service. The system will consist of the following: a temporary electrical motor control center with power from SDG&E and a backup generator to provide power in the event of a power outage. Once completed, the cost to operate using the existing wet well for storage and temporary electrical motor control system will be significantly reduced from approximately \$125,000 to \$14,500 per month.

The City's current contract with O'Connell Engineering (with a principal place of business in Winchester, California) for pump watch services expires on July 29, 2023. In the next two months while staff is working to complete this temporary electrical control system to place the existing sewer lift station back into service, the current temporary emergency operations will need to continue. Staff is recommending a contract change order with the current vendor O'Connell Engineering for as needed pump watch services based on the estimated costs for rental and purchase of materials,

such as, electrical equipment, piping, pumps, emergency generator and fuel to operate the temporary pump station until the temporary electrical motor control center and backup generator are operational (a maximum of 62 additional days). Additionally, \$3,118 needs to be included to account for the increase in prevailing wages effective July 1, 2023. Cost estimates are shown below.

Emergency Wastewater Operation Cost Estimate (July 30 - September 30)

Pump, Piping and Fittings	\$9,200/month
K-Rail	\$1,100/month
Generator	\$11,000/month
Diesel Fuel	\$4,000/month
Pump Watch (O’Connell)	\$180,242 for 62 days
Prevailing Wage Increase (O’Connell)	\$ 3,118 (7/1/23-7/29/23)
Contingency 10%	\$10,000/month
Total (Assumes two months of operation)	\$253,960

Emergency Wastewater Operation Cost Estimate (October 1 - March 31)

K-Rail	\$500/month
Generator	\$11,000/month
Contingency 10%	\$3,000/month
Subtotal	\$14,500/month
Total (Assumes six months of operation)	\$87,000

Council Options:

- Adopt Resolution No. 23-70, authorizing the City Manager enter into a change order for up two months of emergency pump watch services with O’Connell Engineering and Construction, Inc. in an amount not to exceed \$183,360, plus a 10% contingency, and appropriating \$340,960 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209 to fund emergency wastewater operations through March 2024.
- Modify and adopt Resolution No. 23-70.
- Continue the item with direction to staff to provide additional information.

Fiscal Impact:

Yes, \$2,581,525 has been budgeted for since September 2021 for emergency bypass pump station operation. An additional 62 days of pump watch and six months of temporary electrical motor control system operation is recommended with funding from a supplemental appropriation in the amount of \$340,960 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209. There is sufficient fund balance within the proposed fund for the recommended supplemental appropriation.

Environmental Review/Analysis:

Staff previously determined that the temporary operation of the sewer pump station qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA), Class 1 (Existing Facilities), Section 15301 of the state CEQA Guidelines.

Recommended Actions:

Staff Recommendation

STAFF RECOMMENDS THAT the City Council adopt Resolution No. 23-70, which would:

1. Find that an emergency exists due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate action to prevent or mitigate impairment to property and public services that might otherwise occur if the city were required to incur delays attributed to the typical engineering design and public competitive bidding process;
2. Declare that the public interest and necessity demand the immediate expenditure of public funds to safeguard public health;
3. Approve a supplemental appropriation in the amount of \$340,960 to Account Number 054-476 -45300-000-12209 from the Sewer Fund Depreciation Reserve to fund emergency wastewater operations through March 2024; and
4. Authorize the City Manager to execute, Change Order No. 07, with O'Connell Engineering and Construction, Inc. for Cyprus Shore Emergency Pump Station Bypass Operation, Project No. 12209, services through September 30, 2023 on a time and materials basis not to exceed \$183,360.

Attachment:

1. Resolution No. 23-70
2. Location Map
3. O'Connell Engineering and Construction Contract Change Order No. 07
4. October 19, 2021 City Council Agenda Report without attachments
5. December 7, 2021 City Council Agenda Report without attachments
6. February 15, 2022 City Council Agenda Report without attachments
7. June 21, 2022 City Council Agenda Report without attachments
8. July 19, 2022 City Council Agenda Report without attachments
9. September 20, 2022 City Council Agenda Report without attachments
10. February 7, 2022 City Council Agenda Report without attachments

Notification:

None.

RESOLUTION NO. 23-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING A CONTRACT CHANGE ORDER TO CONTINUE EMERGENCY PUMP WATCH SERVICES FOR TWO MONTHS WITH O'CONNELL ENGINEERING AND CONSTRUCTION, INC. AND APPROPRIATING SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION, PROJECT NO. 12209, THROUGH MARCH 2024 IN THE AMOUNT OF \$340,960

WHEREAS, there was coastal bluff landslide within Cyprus Shore Community Association in 2021 that impacted City owned storm drain and wastewater collection system infrastructure; and

WHEREAS, on September 20, 2021, City Utility staff installed a temporary wastewater collection pump system using manholes requiring generator power and pump watch to ensure the pump turn on and off due to lack of storage within the system to prevent a sewer spill; and

WHEREAS, the City Manager approved an emergency Contract with O'Connell Engineering and Construction, Inc. which was ratified by the City Council on October 19, 2021 for temporary wastewater pump station pump watch and the City Council declared the project an emergency to protect public health and safety; and

WHEREAS, subsequent change orders through July 29, 2023 have been approved or ratified by the City Council for a total of \$1,862,988; and

WHEREAS, the current agreement with O'Connell Engineering and Construction, Inc. through the last approved change order expires on July 29, 2023;

WHEREAS, Orange County Transportation Authority completed a slope stabilization project, which will allow the City to utilize its existing wastewater pump station with a temporary electrical motor control center in August or September; and

WHEREAS, this project has previously been determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities), Section 15301 of the state CEQA Guidelines.

NOW, THEREFORE, the City Council of the City of San Clemente does hereby find, determine and resolve as follows:

Section 1. That the above recitals are true and accurate and are incorporated fully herein.

Section 2. That an emergency exists due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate

action to prevent or mitigate impairment to property and public services, that might otherwise occur if the City were required to incur delays attributed to the typical engineering design and public competitive bidding process in connection with this project.

Section 3. That the public interest and necessity demand the immediate expenditure of public funds to safeguard public health.

Section 4. That a supplemental appropriation in the amount of \$340,960 to Account Number 054-476-45300-000-12209 from the Sewer Fund Depreciation Reserve is approved.

Section 5. That the City Manager is authorized and directed to approve Change Order No. 07 with O’Connell Engineering and Construction, Inc. for Cyprus Shore Emergency Pump Station Bypass Operation, Project No. 12209, services through September 30, 2023 on a time and materials basis not to exceed \$183,360 in a form substantially similar as that attached hereto as Exhibit A, which is fully incorporated herein by this reference.

Section 6. The City Clerk shall certify the passage and adoption of this resolution and enter it into the original book of resolutions.

PASSED AND ADOPTED this _____ day of _____, 2023.

ATTEST:

City Clerk of the City of
San Clemente, California

Mayor of the City of San
Clemente, California

STATE OF CALIFORNIA)
 COUNTY OF ORANGE) §
 CITY OF SAN CLEMENTE)

I, LAURA CAMPAGNOLO, City Clerk of the City of San Clemente, California, do hereby certify that Resolution No. 23-70 was adopted at a regular meeting of the City Council of the City of San Clemente held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

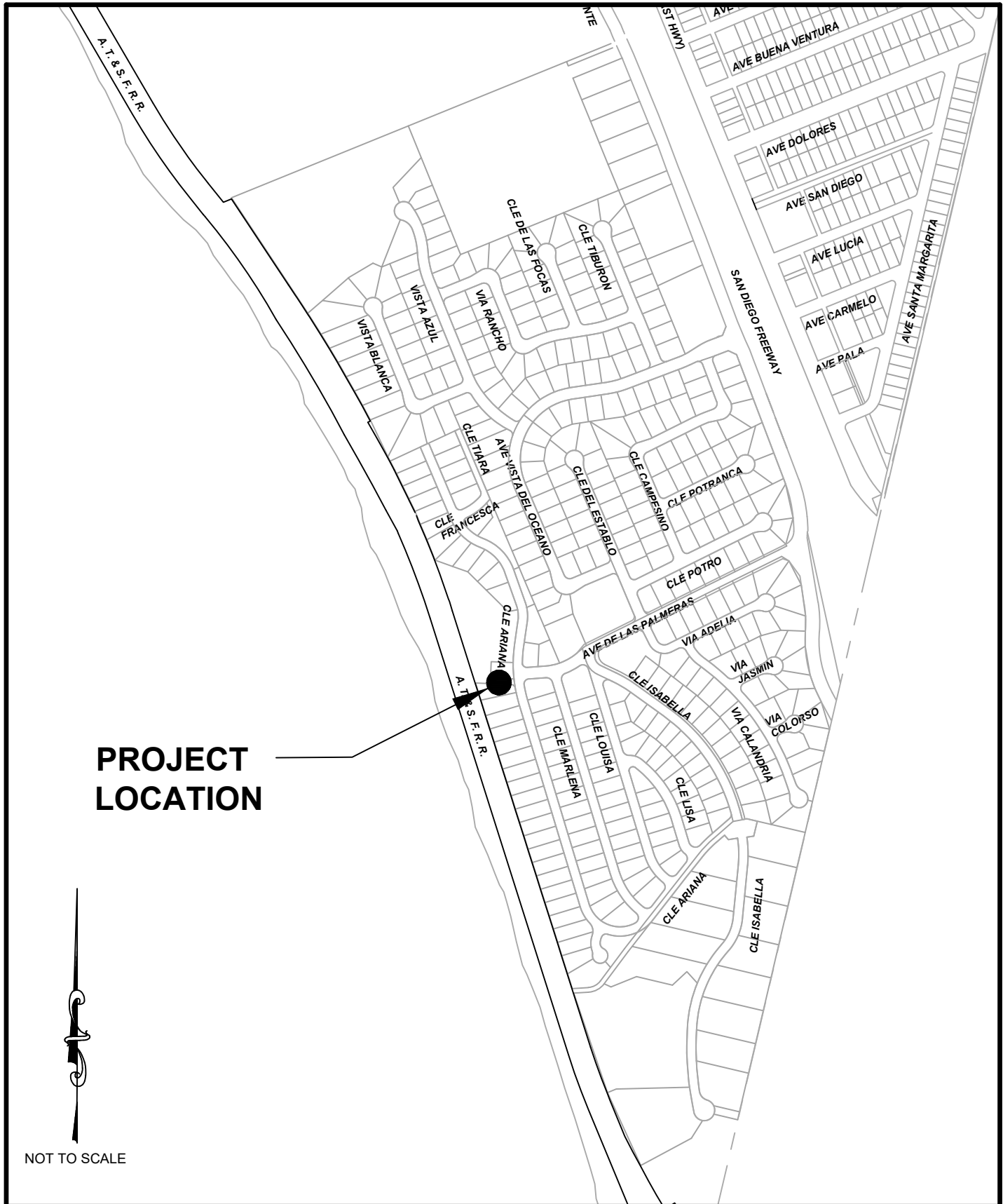
ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Clemente, California, this _____ day of _____, _____.

 CITY CLERK of the City of
 San Clemente, California

Approved as to form:

 Elizabeth A. Mitchell, City Attorney



**PROJECT
LOCATION**



NOT TO SCALE

S:\cu\public\CMMS\GIS\Users Files\Jake Ohana\CAD\Location Plan (Admin Report).dwg Tuesday, October 12, 2021 8:52:52 AM



City of San Clemente

910 Calle Negocio, Suite 100
San Clemente, CA 92673
Tel (949) 361-6100
Fax (949) 361-8316

LOCATION MAP

**Cyprus Shore Storm Drain and
Pump Station Relocation**

PN 12004 & 12209

CITY OF SAN CLEMENTE CONTRACT CHANGE ORDER

PROJECT: *Cyprus Shore Emergency Bypass Monitoring Contract*
PROJECT NO. : 12209

Change Order No.: 07

OWNER: City of San Clemente
PROJ. MGR.: David Rebensdorf, Utilities Director

CONTRACTOR: O'Connell Engineering and Construction Inc
36572 Deauville Road
Winchester, CA. 92596

Date: 7/24/2023
Page 1 of 2

Original Contract Amount:	\$83,988.00
Previous CCO(s) Amount:	\$1,862,988.00
This CCO Amount:	\$183,359.52
Revised Contract Amount:	\$2,048,434.28
Notice to Proceed Date:	10/20/21
Original Contract Completion Date (30 Days):	11/03/21
Extended Calendar Days Through Previous CCO's:	631
Extended Calendar Days By This CCO:	62
Total Extension Calendar Days:	693
Extended Date for Completion:	N/A
Substantial Completion Date:	09/30/23

We hereby agree to extend the original contract by 63 days per this Change Order. This Order shall not be considered as such, until it has been signed by the Contractor and approvals are provided by the City.

The amount indicated shall be compensation on a time and materials basis for the work described, including all time extensions, direct and indirect costs, incidental or consequential costs or expenses, that have been or will be incurred by the Contractor.

O'Connell Engineering and Construction Inc
(Approval)

By: _____ Title: _____ Date: _____

CITY OF SAN CLEMENTE
(Approvals)

By: _____ Title: Utilities Director/Construction Mgr Date: _____

By: _____ Title: City Manager Date: _____

**CITY OF SAN CLEMENTE
CONTRACT CHANGE ORDER**

Exhibit "A"

Cyprus Shore Emergency Bypass Monitoring Contract
Project No.: 12209

CCO#: 07
Date: 07/24/23
Page: 2 of 2

Item No.	Description	Qty.	Unit	Contract Unit Price	Extended Total	Force Acct. or Negotiated Price	Time Extension (Calendar Days)		Total Time Extension (CD)
							weather	Other	
A	Cyprus Shore Emergency Bypass Monitoring Contract Account # 054-476-45300-000-12209 <i>Continued monitoring services from 7/30/23 through 9/30/23</i>	1	LS	n/a	n/a	\$180,241.44	0	62	693
B	Cyprus Shore Emergency Bypass Monitoring Contract Account # 054-476-45300-000-12209 <i>Increase in prevailing wage 7/1/23-7/29/23</i>	1	LS	n/a	n/a	\$3,118.08			
C									
				SUBTOTALS:	\$0.00	\$183,359.52			
Total Price for this Contract Change Order = \$183,359.52							Total Time Ext. : 693		

O'Connell Engineering & Construction

36572 Deauville Rd.

Winchester, CA 92596-9012

Phone: 951-623-6034

Fax: 951-790-0122

Proposal
No.

001Updated

TITLE: Monitoring a bypass
system at Cyprus Shore

DATE: 6/30/23

TO: Attn: Julie Schmidt and David Rebensdorf
City of San Clemente
380 Avenida Pico, Bldg. J
San Clemente, CA 92672

CONTRACT NO:

RE: To: From: Number:

DESCRIPTION OF PROPOSAL

1) Originally O'Connell Engineering provides 3 competent people on 8 hours shift to monitor and watch a bypass system located in Cyprus Shores community for \$115.50 an hour, however with the wage increase of \$3.20 an hour which is the new prevailing wage rate we need to increase the bill to \$118.70 Per hour. Originally, we are providing Certified payroll for this project for the added sum of \$1.15 an hour which is increasing to \$2.43 per hour. Total payroll cost per hour is now \$121.13 an hour. I have included a copy of our business License and our updated Insurance certification.

Item	Description	Stock#	Quantity	Units	Unit Price	Tax Rate	Tax Amount	Net Amount
00001	Bypass monitoring		30	days	\$85,464.00			\$85,464.00
00002	Administration		30	days	\$1,749.60			\$1,749.60

Unit Cost:	\$87,213.60
Unit Tax:	\$0.00
Total:	\$87,213.60

APPROVAL:

By: _____
Rhonda O'Connell

By: _____

Date: 6/30/23

Date: _____

PREDETERMINED INCREASE

CRAFT:

Laborer and Related Classifications

DETERMINATION:

SC-23-102-2-2022-1

LOCALITIES:

All localities within Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Luis Obispo, Santa Barbara and Ventura Counties.

This predetermined increase for the above named craft applies only to the current determination for work being performed on public works projects with bid advertisement dates on or after September 1, 2022, until this determination is superseded by a new determination or a predetermined increase modification notice becomes effective.

When referencing our prevailing wage determinations, please note that if the prevailing wage rate determination which was in effect on the bid advertisement date of a project, has a single asterisk (*) after the expiration date, the rate will be good for the life of the project. However, if a prevailing wage rate determination has double asterisks (**) after the expiration date, the rate must be updated on the following date to reflect the predetermined rate change(s).

LABORER

Determination SC-23-102-2-2022-1 is currently in effect and expires on June 30, 2023**.

Effective July 1, 2023, there will be an increase of \$3.20 to be allocated as follows \$2.15 to Basic Hourly Rate, \$0.20 to Health/Welfare, \$0.80 to Pension and \$0.05 to Training.

Effective July 1, 2024, there will be an increase of \$3.30 to be allocated to wages and/or fringes.

Effective July 1, 2025, there will be an increase of \$3.40 to be allocated to wages and/or fringes.

There will be no further increases applicable to this determination.

Issued 8/22/2022, Effective 9/1/2022 until superseded.

This page will be updated when wage rate breakdown information becomes available.

Last Updated: May 30, 2023



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: October 19, 2021

Agenda Item 9B

Approvals:

City Manager ES 15

Dept. Head DR

Attorney _____

Finance JR

Department: Utilities
Prepared By: David Rebensdorf, Utilities Director DR

Subject: *RATIFICATION OF EMERGENCY PURCHASES, PROFESSIONAL SERVICES AGREEMENT WITH AKM CONSULTING ENGINEERS AND CONSTRUCTION CONTRACTS WITH O'CONNELL ENGINEERING FOR CYPRUS SHORE STORM DRAIN EMERGENCY RELOCATION AND CYPRUS SHORE PUMP STATION EMERGENCY RELOCATION, PROJECT NO.'S 12004 AND 12209.*

Fiscal Impact: Yes. An estimated \$205,400 is recommended for continuous emergency operation of the pump station and bypass for two months. An appropriation of \$205,400 is recommended from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209.

The initial estimated cost for design, permitting and power for a temporary pump station relocation with remote monitoring and improved operating capabilities is \$88,580. An appropriation of \$88,580 is recommended from the Sewer Connection Fee Reserve to Account No. 054-477-45300.

The estimated cost for the temporary relocation of the storm drain is \$256,000. An appropriation of \$256,000 is recommended from the Storm Drain Fund Depreciation Reserve to Account No. 059-553-45300-000-12004.

There is sufficient fund balance within all proposed funds for the recommended appropriations.

Summary: Coastal bluff movement at Cyprus Shore necessitated an emergency response to ensure uninterrupted wastewater and storm drainage in September 2021. In order to protect public health and safety, staff recommends the City Council ratify the emergency Professional Services Agreement and construction contracts approved by the City Manager with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell) and appropriate funding for the expenditures including construction management/inspection services for Dudek Engineering, material purchases and rentals.

Background: When the Cyprus community was developed, the collection system, a sewer pump station serving approximately 400 homes and a portion of the storm drain system was dedicated to and accepted by the City. Due to coastal bluff movement adjacent to the Cyprus Shore Clubhouse near the intersection of Calle Ariana and Avenue de las Palmeras and to protect public safety and property a temporary emergency sewer bypass was installed by City staff on September 20, 2021. In addition, a bypass of the storm drain in Avenue de las Palmeras and the private beach access road may be

necessary to accommodate urban runoff and storm flows until the bluff is stabilized and rebuilt. Design analysis to address urban runoff and storm flows is ongoing, and alternative methods may be implemented.

The temporary emergency sewer pump station bypass is utilizing two existing manholes and pumps with generator power to convey wastewater in above ground piping to the sewer forcemain. This type of operation should be considered temporary due to lack of storage within the system and is recommended for continuous monitoring to prevent a sewer spill in the event a pump or generator fails to operate. Due to limited City staffing and to ensure preventative maintenance activities are being completed by City staff for other facilities, O'Connell was hired to perform pump watch for a cost of \$83,988 for 30 days. Staff contacted four companies and O'Connell provided the lowest informal bid, Xylem provided a bid in the amount of \$123,000 per month. Newest and J.R. Filanc did not provide a bid due to lack of available staffing.

Due to the emergency nature of wastewater pump station operation, AKM Consulting Engineers was hired to design a temporary pump station to ensure uninterrupted operation by adding power, telemetry and wastewater storage instead of relying on storage within existing manholes and pipelines that can clog from debris and grease. The additional capacity created from storage can be utilized in conjunction with the existing pump station which will increase available response time in the future when operation failures of Cyprus Shore Pump Station occur. Due to the need for increased capacity, the Sewer Connection Fee Reserve is being recommended to fund the temporary pump station. Additional funding, material purchases and construction costs are anticipated and will be considered as more information becomes available.

To assist with the design and construction for temporary relocations of the wastewater pump station and storm drain, AKM Consulting Engineers was hired for an amount not to exceed \$98,464. O'Connell was hired for 30 days of pump watch in the amount of \$83,988, with an option to extend the contract for an additional 30 days and \$40,000 for installation of the Storm Drain Emergency Bypass. In addition, 500 linear feet of High Density Polyethylene pipe and fittings was ordered from P&F Distributors in the amount of \$122,392. Dudek Engineering was contacted and will provide construction management and inspection services, through an existing on-call agreement, for the duration of the emergency construction relocations. The City Manager has the authority to approve emergency contracts and purchases when there is a need to protect public health and safety per Section 3.40.070 of the City of San Clemente Municipal Code.

The estimated cost for temporary wastewater service operations, temporary sewer pump station design and temporary relocation of the storm drain are shown on the following page.

Sewer Costs

Emergency Pump Station Operation Estimated Costs

Pump, Piping and Fittings	\$ 8,000/month
K-Rail	700/month
Generator	10,000/month
Pump Watch (O'Connell)	<u>84,000/month</u>
Subtotal	102,700/month
Total (Assumes two months of operation)	\$205,400

Temporary Pump Station Relocation Estimated Costs

Engineering	\$ 48,580
Administration/Permitting	15,000
Power (Transformer and Meter)	25,000
Inspection/Construction Management	TBD
Manhole/Wetwell	TBD
Construction	<u>TBD</u>
Total Cost	\$ 88,580

Storm Drain Costs

Temporary Relocation Costs

Engineering	\$ 49,884
Administration/Permitting	15,000
Inspection/Construction Management	10,000
500' of 36-inch HDPE Pipe and Fittings	125,000
Construction	40,000
Contingency	10,116
Sandbags	3,800
K-Rail (550/month X 4 months)	<u>2,200</u>
Total Cost	\$256,000

Recommended

Action:

STAFF RECOMMENDS THAT the City Council:

1. Make a finding that an emergency exists due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate action to prevent or mitigate impairment to property and public services, that might otherwise occur if required to incur delays attributed to the typical engineering design and public competitive bidding process;
2. Declare that the public interest and necessity demand the immediate expenditure of public funds to safeguard public health;
3. Approve an appropriation in the amount of \$205,400 to Account Number 054-476-45300-000-12209 from the Sewer Fund Depreciation Reserve;

4. Approve an appropriation in the amount of \$88,580 to Account Number 054-477-45300 from the Sewer Connection Fee Reserve;
5. Approve an appropriation in the amount of \$256,000 to Account Number 059-553-45300-000-12004 from the Storm Drain Fund Depreciation Reserve;
6. Ratify a Construction Contract with O'Connell Engineering and Construction, Inc. on a time and materials basis for up to \$83,988 and authorize the City Manager to extend the Contract for an additional 30 days, if needed, for Cyprus Shore Emergency Pump Station Bypass Operation, Project No 12209;
7. Ratify a Construction Contract with O'Connell Engineering and Construction, Inc. on a time and materials basis for up to \$40,000 for Cyprus Shore Storm Drain Emergency Relocation, Project No 12004;
8. Ratify a purchase with P&F Distributors for storm drain pipe and fitting in the amount of \$122,391.75 for Cyprus Shore Storm Drain Emergency Relocation, Project No 12004: and,
9. Ratify an Emergency Professional Services Agreement with AKM Consulting Engineers on a time and materials basis for up to \$98,464 for Cyprus Shore Storm Drain Emergency Relocation and Cyprus Shore Emergency Pump Station, Project No.'s 12004 and 12209.

- Attachments:**
1. Location Map.
 2. Construction Contract with O'Connell for Cyprus Shore Emergency Pump Station Bypass Operation.
 3. Construction Contract with O'Connell for Cyprus Shore Storm Drain Emergency Relocation.
 4. P&F Distributors Quote.
 5. Professional Services Agreement with AKM Consulting Engineers for Cyprus Shore Storm Drain Emergency Relocation and Cyprus Shore Emergency Pump Station.

Notification: None.



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: December 7, 2021

Agenda Item 6J
 Approvals:
 City Manager EL gs
 Dept. Head DR
 Attorney _____
 Finance gs

Department: Utilities
Prepared By: David Rebensdorf, Utilities Director DR

Subject: *RATIFICATION OF EMERGENCY PURCHASES AND SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION AND CYPRUS SHORE STORM DRAIN EMERGENCY RELOCATION, PROJECT No.'s 12209 AND 12004.*

Fiscal Impact: Yes. \$205,400 was approved for an initial 60 days of emergency bypass pump station operation. An additional 60 days of operation is recommended with funding from a supplemental appropriation in the amount of \$236,000 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209.

The initial estimated cost for the temporary relocation of the storm drain was \$256,000. Based on design and procurement of materials, the updated cost estimate is \$411,000. Staff is recommending a supplemental appropriation in the amount of \$155,000 from the Storm Drain Fund Depreciation Reserve to Account No. 059-553-45300-000-12004.

There is sufficient fund balance within all proposed funds for the recommended appropriations.

Summary: Coastal bluff movement at Cyprus Shore necessitated an emergency response to ensure uninterrupted wastewater and storm drainage. On September 20, 2021, City staff installed a temporary emergency sewer bypass pump system adjacent to the Cyprus Shore Clubhouse near the intersection of Calle Ariana and Avenue de las Palmeras. In order to protect public health and safety, the City Council ratified the emergency Professional Services Agreement and construction contracts approved by the City Manager with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell) and an initial appropriation of funding for expenditures, including construction management/inspection services for Dudek Engineering, material purchases and rentals at its October 19, 2021 City Council Meeting. With the need for continued operation of the pump station with pump watch while a more permanent facility is constructed and based on detailed design of the storm drain relocation, additional funding is being recommended. In addition, due to lack of availability of materials and changes in suppliers, ratification of purchases is required.

Background: To continue sewer service to approximately 400 homes within the Cyprus community while design and construction of a temporary pump station with electric power and monitoring capabilities, additional costs for pump watch are needed. Staff is anticipating approximately 60 additional days may be needed for pump watch to ensure uninterrupted service and to prevent a sewer spill. O'Connell was hired through

an emergency contract to provide 30 days of pump watch for \$83,988 which was extended for 30 days as previously authorized by the City Council. Several temporary and permanent pump station options were evaluated which requires additional time to for design. Staff is recommending the City Council authorize the City Manager to approve a contract change order for as needed pump watch for an additional 60 days with O'Connell. In addition, funding is needed for expenditures related to rentals and purchase of materials, such as, electrical equipment, piping, pumps, emergency generator and fuel to operate the temporary pump station. The temporary relocation of the pump station is under design and electrical power is being installed by SDG&E. Staff anticipates completion of pump watch in February 2022. Once design is finalized, staff will recommend additional funding and contracts for the temporary relocation of the pump station.

The storm drain above ground bypass is under construction and consists of approximately 500 linear feet of above ground 36-inch High Density Polyethylene (HDPE) Pipe and 100 linear feet of 18-inch HDPE Pipe routed south of the association Clubhouse and through the private community park. K-rail, sandbags and visqueen will be utilized to route nuisance and storm flows around the clubhouse and into the 18-inch storm drain (see Exhibit 2). Due to an issue with availability of pipe, the ratified purchase from P&F Distributors by the City Council on October 19, 2021 was not completed. Fortunately, storm drain pipe and fittings were available through Envirocon Systems in the amount of approximately \$120,000. In addition, staff is requesting the City Council ratify a construction contract with Sancon Technologies, Inc. in the amount of \$57,280 to install approximately 225 linear feet of liner from the above ground junction structure near the clubhouse to the intersection of Avenue de las Palmeras and Calle Marlena due to increased pressure in the storm drain caused by the above ground piping. Construction for the relocation of the storm drain is anticipated to be complete by the end of December 2021.

The City Manager has the authority to approve emergency contracts and purchases when there is a need to protect public health and safety per Section 3.40.070 of the City of San Clemente Municipal Code. The estimated cost for temporary wastewater service operations and temporary relocation of the storm drain are shown below.

Emergency Wastewater Operation Cost Estimate

Pump, Piping and Fittings	\$ 8,500/month
K-Rail	700/month
Generator	11,000/month
Diesel Fuel	3,800/month
Pump Watch (O'Connell)	84,000/month
Contingency 10%	10,000/month
Subtotal	118,000/month
Total (Assumes two months of operation)	\$236,000

Storm Drain Temporary Relocation Costs

Approved Initial Estimate

Engineering	\$ 49,884
Administration/Permitting	15,000
Inspection/Construction Management	10,000
500' of 36-inch HDPE Pipe and Fittings	125,000
Construction	40,000
Contingency	10,116
Sandbags	3,800
K-Rail (550/month X 4 months)	2,200
Total Cost	\$256,000

Current Cost Estimate

Engineering	\$ 49,884
Administration/Permitting	15,000
Inspection/Construction Management	22,500
500' of 36-inch and 100' of HDPE Pipe and Fittings	120,000
Thrust Restraint Pipe Clamps	20,000
Construction	40,000
36-inch Storm Drain Liner	60,000
Contingency 12%	40,616
36-inch Storm Drain Plug Rental and Maintenance	35,000
Sandbags	3,800
K-Rail (700/month X 6 months)	4,200
Total Cost	\$411,000

Recommended Action:

STAFF RECOMMENDS THAT the City Council:

1. Make a finding that an emergency exists due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate action to prevent or mitigate impairment to property and public services, that might otherwise occur if required to incur delays attributed to the typical engineering design and public competitive bidding process;
2. Declare that the public interest and necessity demand the immediate expenditure of public funds to safeguard public health;
3. Approve a supplemental appropriation in the amount of \$236,000 to Account Number 054-476-45300-000-12209 from the Sewer Fund Depreciation Reserve;
4. Approve a supplemental appropriation in the amount of \$155,000 to Account Number 059-553-45300-000-12004 from the Storm Drain Fund Depreciation Reserve;

5. Authorize the City Manager to approve a change order with O'Connell Engineering and Construction, Inc. on a time and materials basis for up to \$168,000 for Cyprus Shore Emergency Pump Station Bypass Operation, Project No 12209;
6. Ratify a purchase with Envirocon Systems for storm drain pipe and fittings in the amount of \$120,000 for Cyprus Shore Storm Drain Emergency Relocation, Project No 12004: and,
7. Ratify a Construction Contract with Sancon Technologies, Inc. in the amount of \$57,280 Cyprus Shore Storm Drain Emergency Relocation, Project No 12004.

- Attachments:**
1. Location Map.
 2. Storm Drain Location Exhibit.
 3. Envirocon Systems Initial Purchase Order.
 4. Sancon Technologies, Inc. Construction Proposal for a 36-inch Storm Drain Liner. The Construction Contract is on-file with the City Clerk's Office.
 5. October 19, 2021 City Council Agenda Report without attachments.

Notification: None.



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: February 15, 2022

Agenda Item 65

Approvals:

City Manager ES 13

Dept. Head DR

Attorney CJ

Finance JAL

Department: Utilities
Prepared By: David Rebensdorf, Utilities Director DR

Subject: ***RATIFICATION OF EMERGENCY PURCHASES AND SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION, PROJECT NO. 12209.***

Fiscal Impact: Yes. \$441,400 was approved for an initial 120 days of emergency bypass pump station operation. An additional 90 days of operation is recommended with funding from a supplemental appropriation in the amount of \$354,000 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209. There is sufficient fund balance within the proposed fund for the recommended supplemental appropriation.

Summary: Coastal bluff movement at Cyprus Shore necessitated an emergency response to ensure uninterrupted wastewater and storm drainage. On September 20, 2021, City staff installed a temporary emergency sewer bypass pump system adjacent to the Cyprus Shore Clubhouse near the intersection of Calle Ariana and Avenue de las Palmeras. In order to protect public health and safety, the City Council ratified the emergency Professional Services Agreement and construction contracts approved by the City Manager with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell) and an initial appropriation of funding for expenditures, including construction management/inspection services for Dudek Engineering, material purchases and rentals at its October 19, 2021 City Council Meeting. With the need for continued operation of the pump station with pump watch while a more permanent facility is designed and constructed, additional operational funding was approved on December 7, 2021. To allow for procurement of materials and construction of a temporary pump station, an additional 90 days may be needed for emergency wastewater pumping operation.

Background: To continue sewer service to approximately 400 homes within the Cyprus community while construction of a temporary pump station with electric power and monitoring capabilities, additional funding for pump watch and equipment and materials is needed. Design has been completed for the temporary pump station and informal bids are anticipated by the middle of February. Staff is anticipating approximately 90 additional days may be needed for pump watch to ensure uninterrupted service and to prevent a sewer spill. If possible, the time the services are needed will be reduced based on availability of equipment and power.

Staff is recommending the City Council authorize the City Manager to approve a contract change order for as needed pump watch based on the estimated costs for

rental and purchase of materials, such as, electrical equipment, piping, pumps, emergency generator and fuel to operate the temporary pump station as shown below.

Emergency Wastewater Operation Cost Estimate

Pump, Piping and Fittings.	\$ 8,500/month
K-Rail	700/month
Generator	11,000/month
Diesel Fuel	3,800/month
Pump Watch (O'Connell)	84,000/month
Contingency 10%	10,000/month
Subtotal	118,000/month
Total (Assumes three months of operation)	\$354,000

Recommended

Action: STAFF RECOMMENDS THAT the City Council:

1. Approve a supplemental appropriation in the amount of \$354,000 to Account Number 054-476-45300-000-12209 from the Sewer Fund Depreciation Reserve; and,
2. Authorize the City Manager to approve a change order with O'Connell Engineering and Construction, Inc. on a time and materials basis for up to \$354,000 for Cyprus Shore Emergency Pump Station Bypass Operation, Project No 12209.

Attachments:

1. Location Map.
2. October 19, 2021 City Council Agenda Report without attachments.
3. December 7, 2021 City Council Agenda Report without attachments.

Notification: None.

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AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING
Meeting Date: June 21, 2022

Agenda Item 4L
 Approvals:
 City Manager ES JS
 Dept. Head DR
 Attorney CJ
 Finance JM

Department: Utilities
Prepared By: David Rebensdorf, Utilities Director DR

Subject: ***RATIFICATION OF EMERGENCY PURCHASES AND SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION, PROJECT NO. 12209 AND CYPRUS SHORE STORM DRAIN EMERGENCY RELOCATION, PROJECT NO. 12004.***

Fiscal Impact: Yes. For the Cyprus Shore Pump Station Emergency Operation, Project No. 12209, \$795,400 has been budgeted for the initial 210 days of emergency bypass pump station operation. An additional 90 days of operation is recommended with funding from a supplemental appropriation in the amount of \$357,225 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209.

For the Cyprus Shore Storm Drain Emergency Relocation, Project No. 12004, \$451,000 has been budgeted, and a supplemental appropriation of \$98,412 is recommended from the Storm Drain Fund Depreciation Reserve to Account No. 059-553-45300-000-12004 for relocation design.

There is sufficient fund balance within the proposed funds for the recommended supplemental appropriations.

Summary: Coastal bluff movement at Cyprus Shore necessitated an emergency response to ensure uninterrupted wastewater and storm drainage. On September 20, 2021, City staff installed a temporary emergency sewer bypass pump system adjacent to the Cyprus Shore Clubhouse near the intersection of Calle Ariana and Avenue de las Palmeras. In order to protect public health and safety, the City Council ratified the emergency Professional Services Agreement and construction contracts approved by the City Manager with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell) and an initial appropriation of funding for expenditures, including construction management/inspection services for Dudek Engineering, material purchases and rentals at its October 19, 2021 City Council Meeting. With the need for continued operation of the pump station with pump watch while a more permanent facility is designed and constructed, additional operational funding was approved on December 7, 2021, February 15, 2022, and April 5, 2022. To allow for procurement of materials and construction of a temporary pump station, an additional 90 days is needed for emergency wastewater pumping operation.

Background: Cyprus Shore Pump Station Emergency Operation, Project No. 12209

To continue sewer service to approximately 400 homes within the Cyprus community while construction is completed of a temporary pump station with electric power and monitoring capabilities, additional funding for pump watch and equipment and materials is needed. Staff is anticipating 90 additional days to allow the contractor to procure material and start construction. The contractor is working on a schedule to temporarily operate the pump station without requiring in person pump watch. Procurement of materials which impacts sequencing of construction is delaying the schedule to eliminate pump watch. Additional time and funding for in person pump watch is needed to ensure uninterrupted service and to prevent a sewer spill.

Staff is recommending the City Council ratify the City Manager’s approval of a contract change order for as needed pump watch based on the estimated costs for rental and purchase of materials, such as, electrical equipment, piping, pumps, emergency generator and fuel to operate the temporary pump station as shown below.

Emergency Wastewater Operation Cost Estimate

Pump, Piping and Fittings	\$ 8,200/month
K-Rail	1,075/month
Generator	11,000/month
Diesel Fuel	3,800/month
Pump Watch (O’Connell)	85,000/month
<u>Contingency 10%</u>	<u>10,000/month</u>
Subtotal	119,075/month
Total (Assumes three months of operation)	\$357,225

Cyprus Shore Storm Drain Emergency Relocation, Project No. 12004:

Due to the recent landslide at Cyprus Shore development near the Club House, the City’s storm drain system was compromised and needs to be replaced and relocated with a new permanent below grade storm drain system. The new storm drain will include approximately three catch basins on Avenida de Las Palmera just east and west of Calle Ariana, and one catch basin on Calle Ariana east of Avenida de Las Palmera, as shown on Attachment 2. The captured storm runoff in these catch basins will be conveyed, via a 36-inch HDPE pipe and possibly one smaller diameter pipe depending upon the hydraulic analysis, through the HOA’s private park joining the existing storm on the westerly side of the park.

Since AKM Consulting Engineers (AKM) designed the temporary relocation design and study for this project and are very familiar with this area, staff requested a proposal for design and preparation of a bid package, including construction support services. AKM provided a proposal in the amount of \$98,412 for this work. Staff reviewed their proposal and the City Manager approved a Professional Services Agreement. Due to the emergency caused by the landslide and the need to improve drainage in a timely manner, staff recommends ratifying the Professional Consultant Services Agreement with AKM (Attachment 8). The City Manager has the authority to approve emergency

contracts and purchases when there is a need to protect public health and safety per Section 3.40.070 of the City of San Clemente Municipal Code.

Recommended

Action: STAFF RECOMMENDS THAT the City Council:

1. Make a finding that an emergency continues to exist due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate action to prevent or mitigate impairment to property and public services, that might otherwise occur if required to incur delays attributed to the typical engineering design and public competitive bidding process;
2. Approve a supplemental appropriation in the amount of \$357,225 to Account Number 054-476-45300-000-12209 from the Sewer Fund Depreciation Reserve;
3. Ratify a Change Order with O'Connell Engineering and Construction, Inc. on a time and materials basis for \$255,000 for Cyprus Shore Emergency Pump Station Bypass Operation, Project No. 12209;
4. Approve a supplemental appropriation in the amount of \$98,412 from the Storm Drain Fund Depreciation Reserve to account 059-553-45300-000-12004; and
5. Ratify a Professional Services Agreement with AKM Consulting Engineers for design services for Cyprus Shore Storm Drain Emergency Relocation, Project No. 12004 for an amount not to exceed \$98,412.

- Attachments:**
1. Location Map
 2. Proposed design for new Storm Drain, Project No.12004.
 3. October 19, 2021 City Council Agenda Report without attachments.
 4. December 7, 2021 City Council Agenda Report without attachments.
 5. February 15, 2022 City Council Agenda Report without attachments.
 6. April 5, 2022 City Council Agenda Report without attachments.
 7. O'Connell Engineering and Construction Contract Change Order No. 04.
 8. AKM Consulting Engineers Professional Services Agreement.

Notification: None.



AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: July 19, 2022

Agenda Item AL

Approvals:

City Manager ES *JS*

Dept. Head DR

Attorney CT

Finance JR

Department: Utilities
Prepared By: David Rebensdorf, Utilities Director *DR*

Subject: *RATIFICATION OF EMERGENCY PURCHASES AND SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION, PROJECT No. 12209 AND CYPRUS SHORE STORM DRAIN EMERGENCY RELOCATION, PROJECT No. 12004.*

Fiscal Impact: Yes. For the Cyprus Shore Pump Station Emergency Operation, Project No. 12209, \$795,400 has been budgeted for the initial 210 days of emergency bypass pump station operation. An additional 90 days of operation is recommended with funding from a supplemental appropriation in the amount of \$357,225 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209.

For the Cyprus Shore Storm Drain Emergency Relocation, Project No. 12004, \$451,000 has been budgeted, and a supplemental appropriation of \$98,412 is recommended from the Storm Drain Fund Depreciation Reserve to Account No. 059-553-45300-000-12004 for relocation design.

There is sufficient fund balance within the proposed funds for the recommended supplemental appropriations.

Summary: Coastal bluff movement at Cyprus Shore necessitated an emergency response to ensure uninterrupted wastewater and storm drainage. On September 20, 2021, City staff installed a temporary emergency sewer bypass pump system adjacent to the Cyprus Shore Clubhouse near the intersection of Calle Ariana and Avenue de las Palmeras. In order to protect public health and safety, the City Council ratified the emergency Professional Services Agreement and construction contracts approved by the City Manager with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell) and an initial appropriation of funding for expenditures, including construction management/inspection services for Dudek Engineering, material purchases and rentals at its October 19, 2021 City Council Meeting. With the need for continued operation of the pump station with pump watch while a more permanent facility is designed and constructed, additional operational funding was approved on December 7, 2021, February 15, 2022, and April 5, 2022. To allow for procurement of materials and construction of a temporary pump station, an additional 90 days is needed for emergency wastewater pumping operation.

Background: Cyprus Shore Pump Station Emergency Operation, Project No. 12209

To continue sewer service to approximately 400 homes within the Cyprus community while construction is completed of a temporary pump station with electric power and monitoring capabilities, additional funding for pump watch and equipment and materials is needed. Staff is anticipating 90 additional days to allow the contractor to procure material and start construction. The contractor is working on a schedule to temporarily operate the pump station without requiring in person pump watch. Procurement of materials which impacts sequencing of construction is delaying the schedule to eliminate pump watch. Additional time and funding for in person pump watch is needed to ensure uninterrupted service and to prevent a sewer spill.

Staff is recommending the City Council ratify the City Manager’s approval of a contract change order for as needed pump watch based on the estimated costs for rental and purchase of materials, such as, electrical equipment, piping, pumps, emergency generator and fuel to operate the temporary pump station as shown below.

Emergency Wastewater Operation Cost Estimate

Pump, Piping and Fittings	\$ 8,200/month
K-Rail	1,075/month
Generator	11,000/month
Diesel Fuel	3,800/month
Pump Watch (O’Connell)	85,000/month
Contingency 10%	10,000/month
Subtotal	119,075/month
Total (Assumes three months of operation)	\$357,225

Cyprus Shore Storm Drain Emergency Relocation, Project No. 12004:

Due to the recent landslide at Cyprus Shore development near the Club House, the City’s storm drain system was compromised and needs to be replaced and relocated with a new permanent below grade storm drain system. The new storm drain will include approximately three catch basins on Avenida de Las Palmera just east and west of Calle Ariana, and one catch basin on Calle Ariana east of Avenida de Las Palmera, as shown on Attachment 2. The captured storm runoff in these catch basins will be conveyed, via a 36-inch HDPE pipe and possibly one smaller diameter pipe depending upon the hydraulic analysis, through the HOA’s private park joining the existing storm on the westerly side of the park.

Since AKM Consulting Engineers (AKM) designed the temporary relocation design and study for this project and are very familiar with this area, staff requested a proposal for design and preparation of a bid package, including construction support services. AKM provided a proposal in the amount of \$98,412 for this work. Staff reviewed their proposal and the City Manager approved a Professional Services Agreement. Due to the emergency caused by the landslide and the need to improve drainage in a timely manner, staff recommends ratifying the Professional Consultant Services Agreement with AKM (Attachment 8). The City Manager has the authority to approve emergency

contracts and purchases when there is a need to protect public health and safety per Section 3.40.070 of the City of San Clemente Municipal Code.

Recommended

Action: STAFF RECOMMENDS THAT the City Council:

1. Make a finding that an emergency continues to exist due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate action to prevent or mitigate impairment to property and public services, that might otherwise occur if required to incur delays attributed to the typical engineering design and public competitive bidding process;
2. Approve a supplemental appropriation in the amount of \$357,225 to Account Number 054-476-45300-000-12209 from the Sewer Fund Depreciation Reserve;
3. Ratify a Change Order with O'Connell Engineering and Construction, Inc. on a time and materials basis for \$255,000 for Cyprus Shore Emergency Pump Station Bypass Operation, Project No. 12209;
4. Approve a supplemental appropriation in the amount of \$98,412 from the Storm Drain Fund Depreciation Reserve to account 059-553-45300-000-12004; and
5. Ratify a Professional Services Agreement with AKM Consulting Engineers for design services for Cyprus Shore Storm Drain Emergency Relocation, Project No. 12004 for an amount not to exceed \$98,412.

- Attachments:**
1. Location Map
 2. Proposed design for new Storm Drain, Project No.12004.
 3. October 19, 2021 City Council Agenda Report without attachments.
 4. December 7, 2021 City Council Agenda Report without attachments.
 5. February 15, 2022 City Council Agenda Report without attachments.
 6. April 5, 2022 City Council Agenda Report without attachments.
 7. O'Connell Engineering and Construction Contract Change Order No. 04.
 8. AKM Consulting Engineers Professional Services Agreement.

Notification: None.



AGENDA REPORT

CITY OF SAN CLEMENTE

City Council Meeting

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: 9/20/2022

Agenda Item: 4G

Department: Utilities

Prepared By: David Rebensdorf, Utilities Director

Subject:

RATIFICATION OF EMERGENCY PURCHASES AND SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION, PROJECT NO. 12209.

Fiscal Impact:

Yes, \$1,152,625 has been budgeted for the initial 300 days of emergency bypass pump station operation. An additional 181 days of operation is recommended, with funding from a supplemental appropriation in the amount of \$714,450 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209. There is sufficient fund balance within the proposed fund for the recommended supplemental appropriation.

Summary:

Coastal bluff movement at Cyprus Shore necessitated an emergency response to ensure uninterrupted wastewater and storm drainage. On September 20, 2021, City staff installed a temporary emergency sewer bypass pump system adjacent to the Cyprus Shore Clubhouse, near the intersection of Calle Ariana and Avenue de las Palmeras.

To protect public health and safety, the City Council ratified the emergency Professional Services Agreement and construction contracts, approved by the City Manager, with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell). The City Council further approved an initial appropriation of funding for expenditures, including construction management/inspection services for Dudek Engineering and material purchases and rentals at its October 19, 2021 City Council Meeting. With the need for continued operation of the pump station with pump watch while a more permanent facility is designed and constructed, additional operational funding was approved on December 7, 2021, February 15, 2022, June 21, 2022 and July 19, 2022. To allow for procurement of materials and construction of a temporary pump station, an additional 181 days is needed for emergency wastewater pumping operation.

Background:

Additional funding for pump watch and equipment and materials is needed to continue sewer service to approximately 400 homes within the Cyprus community while construction is completed of a temporary pump station with electric power and monitoring capabilities. Staff is anticipating 181 additional days to allow the contractor to procure material and start construction. Unfortunately, the project has been delayed due to supply chain issues and negotiations with the Cyprus Shore Homeowners Association regarding the location of the pump station and electrical equipment. Staff continues to explore opportunities to minimize pump watch, which can only occur once electric power and a new wet well are constructed in December/January depending upon the availability of equipment.

Staff is recommending the City Council ratify the Interim City Manager's approval of a contract change order with O'Connell Engineering and Construction for as needed pump watch based on the estimated costs for rental and purchase of materials, such as, electrical equipment, piping, pumps, emergency generator and fuel to operate the temporary pump station as shown below.

Emergency Wastewater Operation Cost Estimate

Pump, Piping and Fittings	\$ 8,200/month
K-Rail	1,075/month
Generator	11,000/month
Diesel Fuel	3,800/month
Pump Watch (O'Connell)	85,000/month
<u>Contingency 10%</u>	<u>10,000/month</u>
Subtotal	119,075/month
Total (Assumes six months of operation)	\$714,450

Plan and Policy Consistency:

The approval is consistent with the following General Plan Goals and Policies:

- Goal: Maintain and improve a comprehensive system of potable water supply, storage and distribution, and wastewater treatment, reclamation, and reuse to meet daily and emergency needs in San Clemente.
- Policy: PSFU-5.10. Wastewater System. We provide and maintain a system of wastewater collection and treatment facilities to adequately convey and treat wastewater generated in the City of San Clemente service area.

Council Strategy:

The approval is consistent with Council Strategy 3 - Update and maintain infrastructure that reflects best available technology and service - in that Utilities is providing uninterrupted sewer and storm drainage service to approximately 400 homes within the Cyprus Shore community with temporary solutions while more permanent facilities are designed and constructed.

Recommended Actions:

Staff Recommendation

Staff Recommends That the City Council:

1. Make a finding that an emergency continues to exist due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate action to prevent or mitigate impairment to property and public services, that might otherwise occur if required to incur delays attributed to the typical engineering design and public competitive bidding process;

2. Declare that the public interest and necessity demand the immediate expenditure of public funds to safeguard public health.
3. Approve a supplemental appropriation in the amount of \$714,450 to Account Number 054-476-45300-000-12209 from the Sewer Fund Depreciation Reserve; and
4. Ratify Change Order No. 05 with O'Connell Engineering and Construction, Inc. on a time and materials basis for \$510,000 for Cyprus Shore Emergency Pump Station Bypass Operation, Project No. 12209.

Attachments:

1. Location Map
2. October 19, 2021 City Council Agenda Report without attachments.
3. December 7, 2021 City Council Agenda Report without attachments.
4. February 15, 2022 City Council Agenda Report without attachments.
5. June 21, 2022 City Council Agenda Report without attachments.
6. July 19, 2022 City Council Agenda Report without attachments.
7. O'Connell Engineering and Construction Contract Change Order No. 05.

Notification:

None.



AGENDA REPORT

CITY OF SAN CLEMENTE

City Council Meeting

910 Calle Negocio
2nd Floor
San Clemente, California
www.san-clemente.org

Meeting Date: 2/7/2023

Agenda Item: 6J

Department: Utilities

Prepared By David Rebensdorf, Utilities Director

Subject:

RATIFICATION OF EMERGENCY PURCHASES AND SUPPLEMENTAL FUNDING FOR CYPRUS SHORE PUMP STATION EMERGENCY OPERATION, PROJECT NO. 12209.

Fiscal Impact:

Funding of \$1,867,075 has been budgeted since September 2021 for emergency bypass pump station operation. An additional 180 days of operation is recommended, with funding from a supplemental appropriation in the amount of \$714,450 from the Sewer Fund Depreciation Reserve to Account No. 054-476-45300-000-12209. There is sufficient fund balance within the proposed fund for the recommended supplemental appropriation.

Summary:

Coastal bluff movement at Cyprus Shore required an emergency response to ensure uninterrupted wastewater and storm drainage. On September 20, 2021, City staff installed a temporary emergency sewer bypass pump system adjacent to the Cyprus Shore Clubhouse near the intersection of Calle Ariana and Avenue de las Palmeras. On October 19, 2021, the City Council ratified an emergency Professional Services Agreement and construction contracts that had been conditionally approved by the City Manager with AKM Consulting Engineers and O'Connell Engineering and Construction, Inc. (O'Connell) and an initial appropriation of funding for expenditures, including construction management/inspection services for Dudek Engineering, material purchases and rentals.

Subsequent to the initial movement, continued operation of the pump station has been necessary due to lack of direct power from SDG&E and use of existing manholes with limited storage for pumping operation while a more permanent facility was designed and constructed. Due to movement in the larger landslide extending to Calle Ariana, the construction of the relocated pump station has been placed on hold while the Orange County Transportation Authority installs two rows of tie-backs within the coastal bluff. The construction is anticipated for completion in March 2023. Once construction is complete, geologists will read inclinometers to determine if the slope has stabilized. Once the stability is determined, the City can begin either relocating the pump station or utilize the existing pump station subject to approval for remedial grading by the California Coastal Commission (CCC). City staff has begun discussions with the CCC and anticipates submittal of an application to restore operation to the existing pump station.

Background:

To continue sewer service to approximately 400 homes within the Cyprus community while construction is either completed for a temporary pump station or restoration of the existing pump station, additional funding for pump watch, equipment and materials is needed. Staff is anticipating a minimum of 180 additional days to allow for determination of the slope stability and either

construction of a new pump station or restoration of the existing facility. Construction of the relocated pump station has been delayed due to supply chain issues and negotiations with the Cyprus Shore Homeowners Association regarding the location of the pump station and electrical equipment.

Staff is recommending the City Council authorize the Interim City Manager’s approval of a contract change order with O’Connell Engineering and Construction for as needed pump watch based on the estimated costs for rental and purchase of materials, such as, electrical equipment, piping, pumps, emergency generator and fuel to operate the temporary pump station as shown below.

Emergency Wastewater Operation Cost Estimate

Pump, Piping and Fittings	\$ 8,200/month
K-Rail	1,075/month
Generator	11,000/month
Diesel Fuel	3,800/month
Pump Watch (O’Connell)	85,000/month
<u>Contingency 10%</u>	<u>10,000/month</u>
Subtotal	119,075/month
Total (Assumes six months of operation)	\$714,450

Recommended Actions:

Staff Recommendation

Staff Recommends That the City Council:

1. Make a finding that an emergency continues to exist due to the potential failure of an existing sewer pump station and storm drain system and that the situation requires immediate action to prevent or mitigate impairment to property and public services, that might otherwise occur if required to incur delays attributed to the typical engineering design and public competitive bidding process;
2. Declare that the public interest and necessity for continued service demand the immediate expenditure of public funds to safeguard public health.
3. Approve a supplemental appropriation in the amount of \$714,450 to Account Number 054-476 -45300-000-12209 from the Sewer Fund Depreciation Reserve.
4. Authorize the Interim City Manager to approve Change Order No. 06 with O’Connell Engineering and Construction, Inc. on a time and materials basis for \$510,000 for Cyprus Shore

Emergency Pump Station Bypass Operation, Project No. 12209.

Attachment:

1. Location Map
2. October 19, 2021 City Council Agenda Report without attachments.
3. December 7, 2021 City Council Agenda Report without attachments.
4. February 15, 2022 City Council Agenda Report without attachments.
5. June 21, 2022 City Council Agenda Report without attachments.
6. July 19, 2022 City Council Agenda Report without attachments.
7. September 20, 2022 City Council Agenda Report without Attachments.
8. O'Connell Engineering and Construction Contract Change Order No. 06.

Notification:

None.