



AGENDA REPORT

CITY OF SAN CLEMENTE

CITY COUNCIL MEETING

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

Meeting Date: October 3, 2023

Agenda Item: 7E

Department: Public Works

Prepared By: Amir K. Ilkhanipour, Principal Civil Engineer

Subject:

CONSIDERATION OF A RESOLUTION TO ACCEPT AND FILE NOTICE OF COMPLETION FOR THE STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS, CIP PROJECT NO. 10015

Fiscal Impact:

Yes. The total construction cost of \$791,300 is within the approved project budget of \$1,200,000 from the Storm Drain Fund Depreciation Reserve, Account No. 033-834-45300-000-10015.

Summary:

Before the Council is the acceptance and Notice of Completion (Attachment 2) for the Storm Drain Improvements at 1601 Calle Las Bolas, as shown on the Location Map (Attachment 1).

Background:

On June 21, 2022, the City Council awarded a construction contract to 3Sixty Innovation, Inc. for the Storm Drain Improvements at 1601 Calle Las Bolas (Attachment 3). The work consisted of the installation of 760 linear feet of 18-inch and 24-inch Reinforced Concrete Pipe (RCP) and construction of three catch basins on Avenida Florencia. On August 15, 2023, City Council increased the project contingency by \$79,030 and authorized transfer of \$38,311 from the Sewer Depreciation Reserve Fund into Account No. 033-834-45300-000-10015 (Attachment 4). The project is now completed and ready to be accepted.

A summary of the total construction expenditures is provided below:

| | |
|--|------------------|
| Construction Management, Inspection | \$ 75,500 |
| Construction | 715,800 |
| <u>Total Project Construction cost</u> | <u>\$791,300</u> |

Council Options:

- Adopt Resolution No. 23-104 (Attachment 5), which would accept the completed construction work for the Storm Drain Improvements at 1601 Calle Las Bolas, CIP Project No. 10015.
- Adopt Resolution No. 23-104 with modifications.
- Continue the item with direction to provide additional information.

Environmental Review/Analysis:

In connection with the original contract award, staff previously determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) under Class 3 (New Construction or Conversion of Small Structures -14 CCR §15303) of the State CEQA Guidelines.

Recommended Actions:

STAFF RECOMMENDS THAT the City Council adopt Resolution No. 23-104, which would:

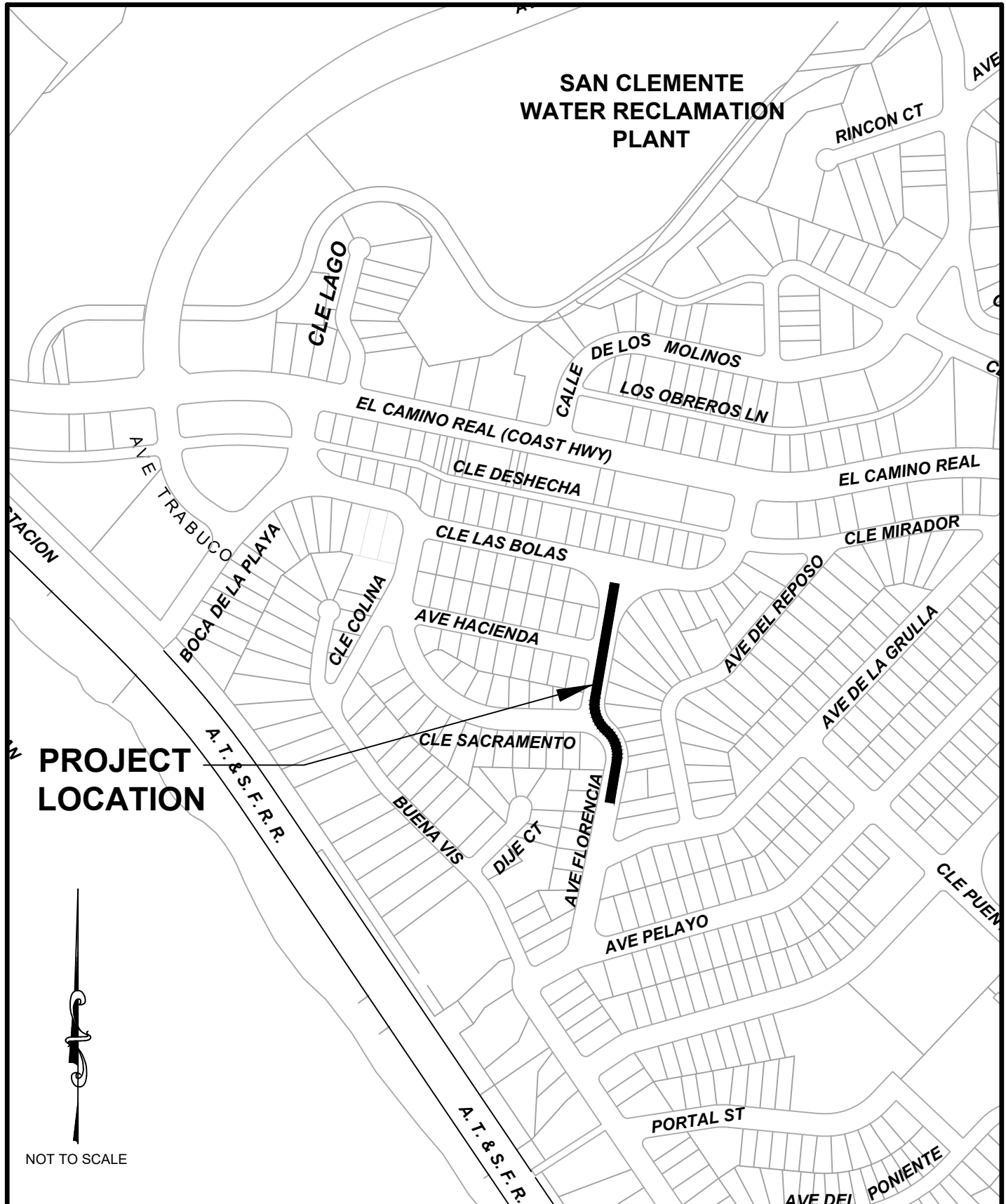
1. Accept the Storm Drain Improvements at 1601 Calle Las Bolas, CIP Project No. 10015, from 3Sixty Innovation, Inc.;
2. Authorize the Public Works Director/City Engineer to execute and record the Notice of Completion for the completed Storm Drain Improvements; and
3. Authorize the City Clerk to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the Contractor, 3Sixty Innovation, Inc.

Attachments:

1. Location Map
2. Notice of Completion
3. Staff Report, dated June 21, 2022
4. Staff Report, dated August 15, 2023
5. Resolution No. 23-104

Notification:

None.



**PROJECT
LOCATION**



NOT TO SCALE



City of San Clemente

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

LOCATION MAP

**Storm Drain Improvements at
1601 Las Bolas
PN 10015**

Recording Requested By:
City of San Clemente

When Recorded, Mail To:
Public Works Department
City of San Clemente
910 Calle Negocio
San Clemente, CA 92673

Recorded for the benefit of the City of San Clemente and exempt from recording fees pursuant to Government Code Section 27383.

Space above this line is for Recorder's Use Only

NOTICE OF COMPLETION

Notice is hereby given by the City of San Clemente, a Municipal Corporation, that a public work of improvement has been completed as follows:

1. *Project title or description of work:* Storm Drain Improvements at 1601 Calle Las Bolas, CIP Project No. 10015
2. *Date of completion:* May 12, 2023
3. *Street address or legal description of the project site:* Calle Las Bolas and Avenida Florencia, San Clemente, CA 92672
4. *Name of owner:* City of San Clemente
5. *Interest or estate of owner:* City of San Clemente public right-of-way
6. *Address of owner:* 910 Calle Negocio, San Clemente, CA 92673

Name and address of contractor: 3Sixty Innovation, Inc., 3555 Rosecrans Street, 114-110, San Diego, CA 92110

I am the Public Works Director/City Engineer for the City of San Clemente, a Municipal Corporation, the owner of the indicated interest or estate in the property described above. I make this verification on behalf of the City of San Clemente. I have read this Notice of Completion and know its contents. I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____ in San Clemente, California.

David T. Rebensdorf, Public Works Director/City Engineer
City of San Clemente

Agenda Item 4J**Approvals:**City Manager ESDept. Head JMAttorney CJFinance JM

AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING

Meeting Date: June 21, 2022

Department: Public Works / Engineering Division
Prepared By: Amir K. Ilkhanipour, Senior Civil Engineer

Subject: **CONSTRUCTION CONTRACT AWARD TO 3SIXTY INNOVATION, INC. FOR THE STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS, PROJECT NO. 10015**

Fiscal Impact: Yes. The estimated total construction cost of \$653,460 is within the approved project budget of \$1,109,247 available from the Storm Drain Fund Depreciation Reserve.

Summary: Staff recommends approval of a construction contract with 3Sixty Innovation, Inc., in the amount of \$499,460 for the Storm Drain Improvements at 1601 Calle Las Bolas Improvements.

Background: Catch basin and storm drain improvements are needed at the intersection of Calle Las Bolas and Avenida Florencia to increase the drainage capacity of the storm drain system in this area. Staff prepared a bid package for these improvements and advertised the project for competitive bidding on the PlanetBids website. Ten bids were received on May 23, 2022, ranging from \$499,460 to \$1,240,710, as shown on Attachment 2. The lowest responsive bidder was 3Sixty Innovation, Inc. of San Diego, California, at \$499,460. Based on the low bid, construction costs are estimated as follows:

| | |
|--|------------------|
| Construction Contract | \$499,460 |
| Construction Management, Administration, Inspection and Soils Testing | 55,000 |
| <u>Project Contingency (20%)</u> | <u>99,000</u> |
| Total Estimated Construction Costs | \$653,460 |

As required by City Policy and State Law, the Contractor will be required to provide performance and payment bonds simultaneously with execution of the construction contract (Attachment 3). Project plans and specifications are on file in the City Clerk's office.

Recommended

Action: Staff Recommends That the City Council:

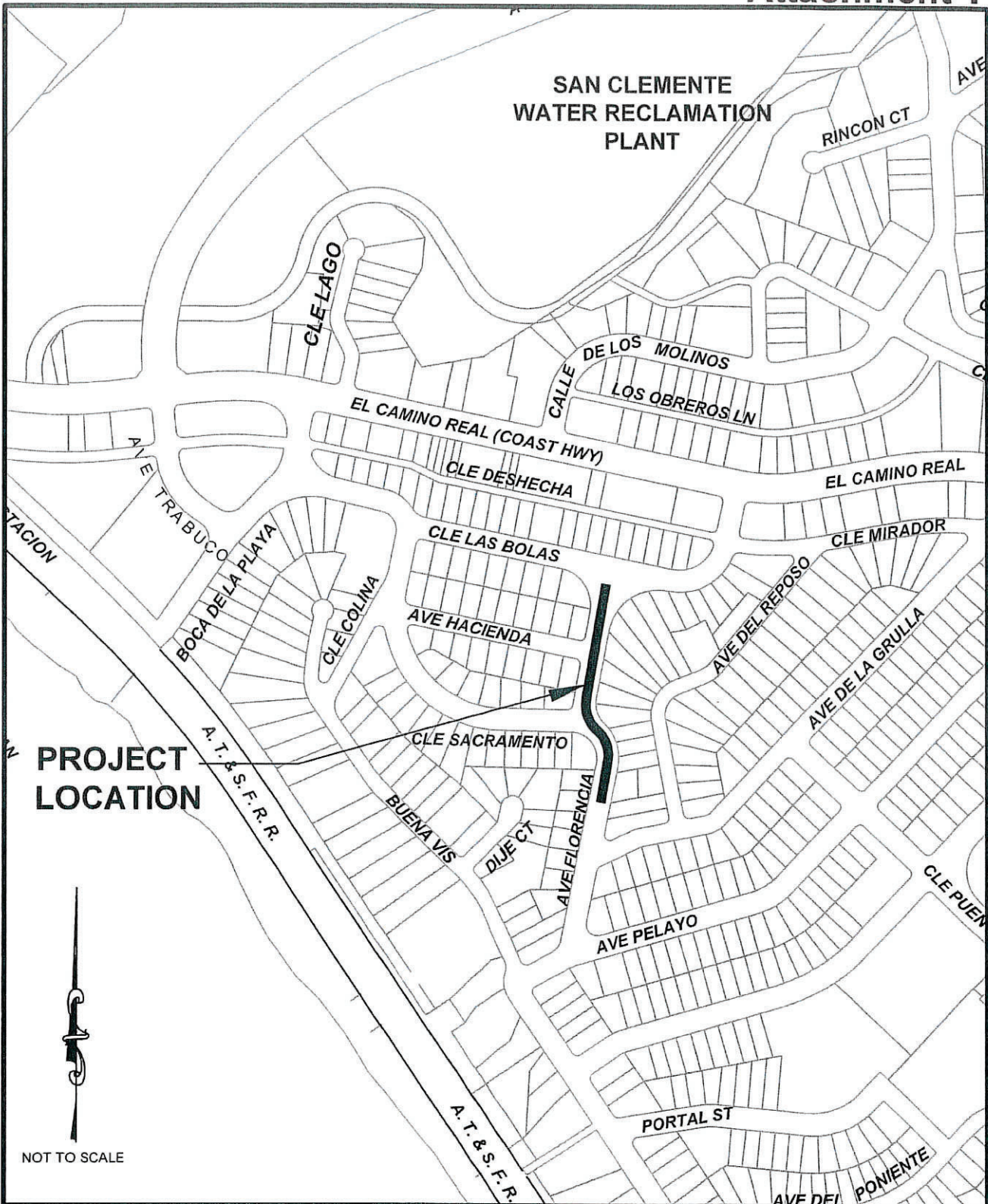
1. Approve the Plans and Specifications for the Storm Drain Improvements at 1601 Calle Las Bolas, Project No. 10015; and

2. Approve and authorize the Public Works Director/City Engineer to execute Contract No. _____, by and between the City of San Clemente and Innovation, Inc., in the amount of \$499,460, for the Storm Drain Improvements at 1601 Calle Las Bolas, Project No. 10015.

- Attachments:**
1. Location Map
 2. Bidders' List
 3. Contract without attachments

Notification: None.

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**PROJECT
LOCATION**



NOT TO SCALE



City of San Clemente

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

LOCATION MAP

**Storm Drain Improvements at
 1601 Las Bolas
 PN 10015**

S:\public\CMIS\GIS\Users Files\John Ohana\CAD\Location Plan (Admin Report).dmg Monday, June 5, 2022 10:41:21 AM

City of San Clemente

Bidders' Listing for the "STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS (Project No. 10015)"

Issued on 04/07/2022

Bid Due on May 23, 2022 2:00 PM (PDT)

| Vendor Name | Address | City | State | Zip | Bid Amount | Format |
|--------------------------------------|--|------------------|-------|-------|-------------|------------|
| 3Sixty Innovation Inc. | 3555 Rosecrans St. 114-110 | San Diego | CA | 92110 | \$499,460 | Electronic |
| diamond construction | 921 n harbor blv #622 | La Habra | CA | 90631 | \$560,790 | Electronic |
| PALP dba EXCEL | 2230 Lemon Ave | Long Beach | CA | 90806 | \$592,400 | Electronic |
| Beador Construction Company, Inc. | 26320 Lester Circle | Corona | CA | 92883 | \$597,300 | Electronic |
| GCI Construction, inc. | 1031 Calle Recodo, Suite D | San Clemente | CA | 92673 | \$621,370 | Electronic |
| Wright Construction Engineering Corp | 2625 S Santa Fe Ave | San Marcos | CA | 92069 | \$627,020 | Electronic |
| Lucas Builders, Inc | 510 E Jamie Ave | La Habra | CA | 90631 | \$690,262 | Electronic |
| kordichconst inc. | 6044 lawrence st | cypress | CA | 90630 | \$709,313 | Electronic |
| Ferreira Construction Co, Inc | 10370 Commerce Center Drive Suite B200 | Rancho Cucamonga | CA | 91730 | \$737,750 | Electronic |
| Gentry General Engineering, Inc. | PO Box 322 | Rancho Cucamonga | CA | 91729 | \$1,240,710 | Electronic |

SECTION 00500
CONTRACT

THIS CONTRACT is made this ____ day of _____, 2022, in the County of Orange, State of California, by and between the City of San Clemente hereinafter called City, and 3Sixty Innovation, Inc., hereinafter called Contractor. City and the Contractor for the considerations stated herein agree as follows:

ARTICLE 1. SCOPE OF WORK. The Contractor shall perform all Work within the time stipulated the contract and shall provide all labor, materials, equipment, tools, utility services, and transportation to complete all of the Work required in strict compliance with the Contract Documents as specified in Article 5 below for the following Project:

STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS, PROJECT NO. 10015

The Contractor and its surety shall be liable to City for any damages arising as a result of the Contractor's failure to comply with this obligation.

ARTICLE 2. TIME FOR COMPLETION. The Work shall be commenced on the date stated in City's Notice to Proceed. The Contractor shall complete all Work required by the Contract Documents within sixty (60) Working Days from the commencement date stated in the Notice to Proceed. By its signature hereunder, Contractor agrees the time for completion set forth above is adequate and reasonable to complete the Work.

ARTICLE 3. CONTRACT PRICE. City shall pay to the Contractor as full compensation for the performance of the Contract, subject to any additions or deductions as provided in the Contract Documents, and including all applicable taxes and costs, the sum of Four Hundred Thousands Ninty Nine Hundred, and Four Hundred Sixty Dollars (\$499,460). Payment shall be made as set forth in the General Conditions.

At any time during the term of the Contract, City may, pursuant to the terms and provisions of the Contract Documents, request that the Contractor perform additional work. Contractor shall not perform, nor be compensated for, additional work without written authorization from the City pursuant to the terms and provisions of the Contract Documents.

ARTICLE 4. LIQUIDATED DAMAGES/EARLY COMPLETION INCENTIVE. In accordance with Government Code section 53069.85, it is agreed that the Contractor will pay City the sum of \$1,000 for each and every calendar day of delay beyond the time prescribed in the Contract Documents for finishing the Work, as Liquidated Damages and not as a penalty or forfeiture. In the event that Liquidated Damages are not paid, the Contractor agrees City may deduct that amount from any money due or that may become due the Contractor under the Contract. This Article does not exclude recovery of other damages specified in the Contract Documents.

ARTICLE 5. COMPONENT PARTS OF THE CONTRACT. The "Contract Documents" include the following:

- Notice Inviting Bids
- Instructions to Bidders
- Bid Form
- Contractor's Certificate Regarding Workers' Compensation
- Bid Bond

Designation of Subcontractors
Information Required of Bidders
Noncollusion Declaration form
Iran Contracting Act Certification
Public Works Contractor Registration Certification
Contract
Performance Bond
Payment Bond
General Conditions
Special Conditions
Technical Specifications
Addenda
Plans and Drawings
Approved and fully executed change orders
Any other documents contained in or incorporated into the Contract

The Contactor shall complete the Work in strict accordance with all of the Contract Documents.

All of the Contract Documents are intended to be complementary. Work required by one of the Contract Documents and not by others shall be done as if required by all. This Contract shall supersede any prior agreement of the parties.

ARTICLE 6. PROVISIONS REQUIRED BY LAW. Each and every provision of law required to be included in these Contract Documents shall be deemed to be included in these Contract Documents. The Contractor shall comply with all requirements of applicable federal, state and local laws, rules and regulations, including, but not limited to, the provisions of the California Labor Code and California Public Contract Code which are applicable to this Project.

ARTICLE 7. INDEMNIFICATION. Contractor shall provide indemnification as set forth in the General Conditions.

ARTICLE 8. PREVAILING WAGES. Contractor shall be required to pay the prevailing rate of wages in accordance with the Labor Code which such rates shall be made available at City of San Clemente Public Works Department or may be obtained online at <http://www.dir.ca.gov/dlsr>. and which must be posted at the job site.

IN WITNESS WHEREOF, this Contract has been duly executed by the above-named parties, on the day and year above written.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed on the respective dates set forth opposite of their signatures.

CITY OF SAN CLEMENTE

By: _____

Its: _____

Dated: _____, 20__

ATTEST:

CITY CLERK of the City of
San Clemente, California

**APPROVED AS TO FORM:
BEST BEST & KRIEGER**

City Attorney

**APPROVED AS TO AVAILABILITY
OF FUNDING:**

Finance Authorization

DRAFT

("CONTRACTOR")

By: _____

Its: _____

Dated: _____, 20__

END OF CONTRACT



6-21-22 / 4J-8



AGENDA REPORT

CITY OF SAN CLEMENTE

City Council Meeting

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

Meeting Date: 8/15/2023

Agenda Item: 6H

Department: Public Works
Prepared By Amir Ilkhanipour, Principal Civil Engineer

Subject:

CONSIDERATION OF A RESOLUTION TO APPROVE AN INCREASE TO THE CONTINGENCY FOR THE STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS, CIP PROJECT NO. 10015, IN THE AMOUNT OF \$79,030; APPROVE TRANSFER OF \$38,311 FROM SEWER DEPRECIATION RESERVE TO ACCOUNT NO. 033-834-45300-000-10015; AND APPROVE AN ADDITIONAL \$25,000 FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES.

Fiscal Impact:

Yes. The \$79,030 increase to the contingency and the additional requested \$25,000 for Construction Management Inspection services are available within the Account No. 033-834-45300-000-10015; and there is available funding for the transfer of \$38,311 from the Sewer Depreciation Reserve Fund into Account No. 033-834-45300-000-10015.

Summary:

Catch basins and storm drain improvements were needed at the intersection of Calle Las Bolas and Avenida Florencia and on Avenida Florencia to increase the drainage capacity of the storm drain system. Part of the Storm Drain Improvements at 1601 Calle Las Bolas (Project) were constructed during unusually heavy rains. Due to ground water challenges during construction in the winter rain season, additional unforeseen costs were incurred to the Project beyond the originally approved contingency of \$99,000. The Project is now near completion. Before the City Council is approval of an additional \$79,030 to the Project contingency; approval of transfer of \$38,311 from the Sewer Depreciation Reserve Fund to Account No. 033-834-45300-000-10015 for a sewer main repair that had to be performed during construction; and approval of additional \$25,000 for the construction management and inspection services.

Background:

On June 21, 2022, City Council awarded a contract to 3Sixty Innovation, Inc. (3Sixty) in the amount of \$499,460 with a contingency of \$99,000 for the Storm Drain Improvements at 1601 Calle Las Bolas (Attachment 2). Originally, the total estimated construction cost for the Project was \$653,460, including the construction management, administration, inspection and soil testing of \$55,000.

From February 21 to March 21, 2023, Orange County experienced approximately 10.5 inches of rain, in comparison to the total annual 13 to 15 inches of rainfall for Orange County. During Project construction from November 2022 through April, 2023, excess rainfall and heavy storms caused ground water flows into trenches that exceeded expectations.

Dewatering the ground water created construction difficulties that required extra work by 3Sixty to install the storm drain pipes and placement of backfill accordingly. Costs for extra work, including

dewatering and trench shoring, were beyond the approved contingency of \$99,000. The total change orders due to the excess ground water, additional shoring and other unforeseen conditions were \$117,341, including a trenchless repair of an 8-inch sewer main in close proximity to the storm drain.

Due to the additional ground water related work, the construction management and inspection efforts increased, requiring more staff time and consultant support. Staff is requesting additional \$25,000 to the previously approved \$55,000 for construction management and inspection services on the Project.

During construction, a close circuit TV (CCTV) inspection showed that the 8-inch sewer main within the construction area needed immediate repairs. Staff requested a quote from 3Sixty for performing this emergency trenchless repair. The quote received from 3Sixty was in the amount of \$38,311. Staff reviewed the quote and determined that the cost was reasonable. Since there was adequate funding in the approved project contingency of \$99,000 at the time, a change order in the amount of \$38,311 was issued to 3Sixty and the work was performed immediately. Funds for the emergency repair (i.e. \$38,311) should now be transferred from the Sewer Depreciation Reserve Fund to the Project account of 033-834-45300-000-10015.

Council Options:

- Adopt Resolution No. 23-78, approving an increase of the Project contingency by \$79,030; approving a transfer of \$38,311 from the Sewer Depreciation Reserve to Account No. 033-834-45300-000-10015; and approving an additional \$25,000 for increased construction management and inspection services.
- Modify and adopt Resolution No. 23-78.
- Do not adopt Resolution No. 23-78.
- Continue the Item and direct staff to provide additional information.

Environmental Review/Analysis:

This project was previously determined to be categorically exempt from the California Environmental Quality Act (CEQA) under Class 3 (NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURE, 14 CCR 15303), Section 15303 of the state CEQA Guidelines. A Notice of Exemption was filed with the County of Orange Recorder's Office on April 26, 2022 for this Project. (See Attachment 4.)

Recommended Actions:

Staff Recommendation

Staff recommends that the City Council adopt Resolution No. 23-78, which will:

1. Approve an increase to the project contingency in the amount of \$79,030 for the Storm Drain Improvements at 1601 Calle Las Bolas, CIP Project No. 10015;
2. Approve a transfer of \$38,311 from the Sewer Depreciation Reserve Fund to Account No. 033-834-45300-000-10015, Las Bolas Storm Drain Improvements, CIP Project No. 10015, for the emergency repairs to the 8-inch sewer main performed during the Project; and

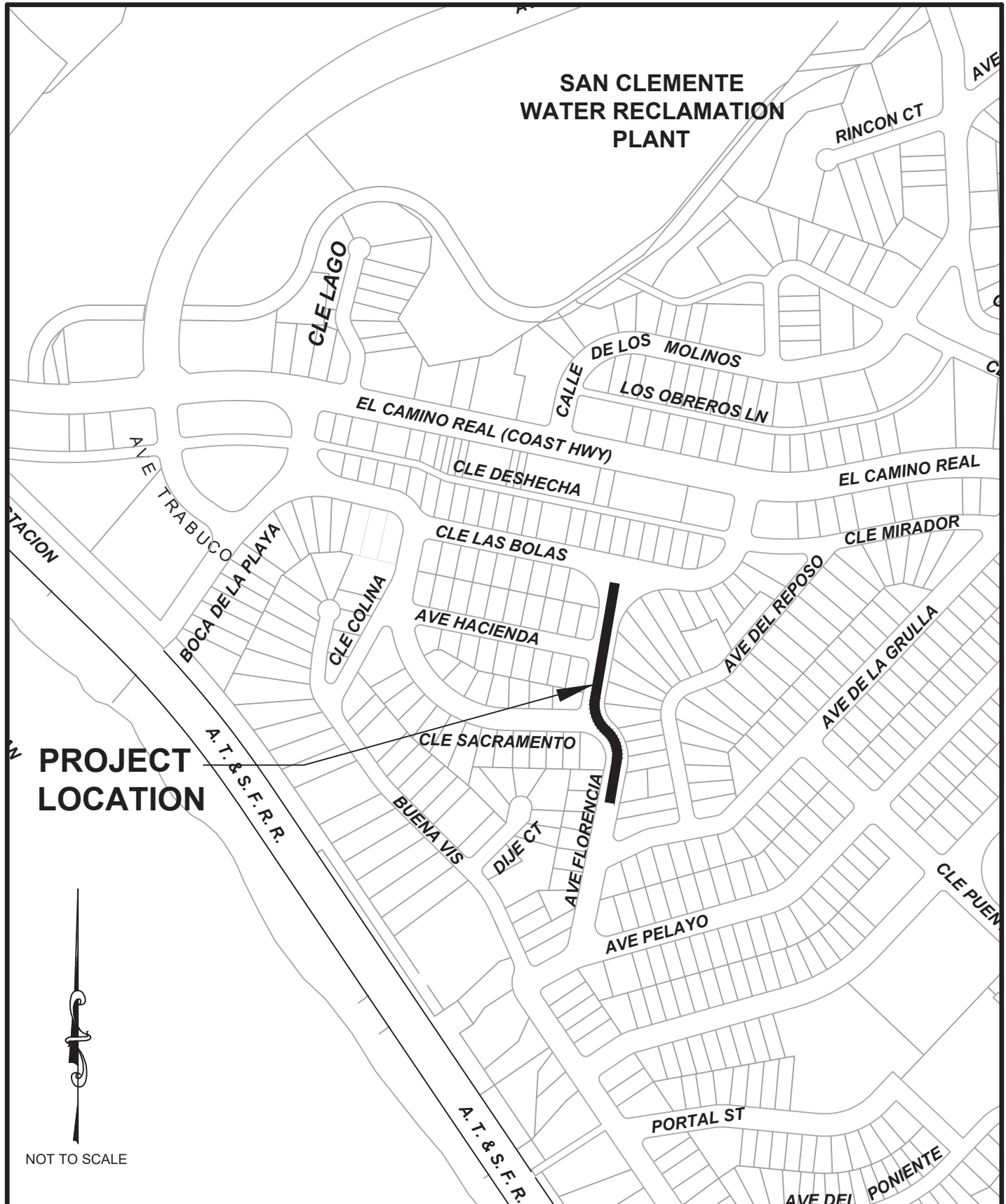
3. Approve an additional \$25,000 for the construction management and inspection services for the Storm Drain Improvements at Called Las Bolas, CIP Project No. 10015.

Attachment:

1. Location Map
2. Staff Report dated, June 21, 2022 without attachments
3. Resolution No. 23-78
4. Notice of Exemption

Notification:

None.



**PROJECT
LOCATION**



NOT TO SCALE



City of San Clemente

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

LOCATION MAP

**Storm Drain Improvements at
1601 Las Bolas
PN 10015**

Agenda Item 4J**Approvals:**City Manager ESDept. Head JMAttorney CJFinance JM

AGENDA REPORT

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

Department: Public Works / Engineering Division
Prepared By: Amir K. Ilkhanipour, Senior Civil Engineer

Subject: **CONSTRUCTION CONTRACT AWARD TO 3SIXTY INNOVATION, INC. FOR THE STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS, PROJECT NO. 10015**

Fiscal Impact: Yes. The estimated total construction cost of \$653,460 is within the approved project budget of \$1,109,247 available from the Storm Drain Fund Depreciation Reserve.

Summary: Staff recommends approval of a construction contract with 3Sixty Innovation, Inc., in the amount of \$499,460 for the Storm Drain Improvements at 1601 Calle Las Bolas Improvements.

Background: Catch basin and storm drain improvements are needed at the intersection of Calle Las Bolas and Avenida Florencia to increase the drainage capacity of the storm drain system in this area. Staff prepared a bid package for these improvements and advertised the project for competitive bidding on the PlanetBids website. Ten bids were received on May 23, 2022, ranging from \$499,460 to \$1,240,710, as shown on Attachment 2. The lowest responsive bidder was 3Sixty Innovation, Inc. of San Diego, California, at \$499,460. Based on the low bid, construction costs are estimated as follows:

| | |
|--|------------------|
| Construction Contract | \$499,460 |
| Construction Management, Administration, Inspection and Soils Testing | 55,000 |
| <u>Project Contingency (20%)</u> | <u>99,000</u> |
| Total Estimated Construction Costs | \$653,460 |

As required by City Policy and State Law, the Contractor will be required to provide performance and payment bonds simultaneously with execution of the construction contract (Attachment 3). Project plans and specifications are on file in the City Clerk's office.

Recommended

Action: Staff Recommends That the City Council:

1. Approve the Plans and Specifications for the Storm Drain Improvements at 1601 Calle Las Bolas, Project No. 10015; and

2. Approve and authorize the Public Works Director/City Engineer to execute Contract No. _____, by and between the City of San Clemente and Innovation, Inc., in the amount of \$499,460, for the Storm Drain Improvements at 1601 Calle Las Bolas, Project No. 10015.

- Attachments:**
1. Location Map
 2. Bidders' List
 3. Contract without attachments

Notification: None.

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RESOLUTION NO. 23-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING AN INCREASE TO THE CONTINGENCY OF \$79,030 FOR THE STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS, CIP PROJECT NO. 10015; APPROVING A TRANSFER OF \$38,311 IN FUNDING FROM THE SEWER DEPRECIATION RESERVE FUND TO ACCOUNT NO. 033-834-45300-000-10015; AND APPROVING AN ADDITIONAL \$25,000 FOR THE CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE STORM DRAIN IMPROVEMENTS AT CALLE LAS BOLAS, CIP PROJECT NO. 10015

WHEREAS, catch basins and storm drain improvements were needed at the intersection of Calle Las Bolas and Avenida Florencia and on Avenida Florencia to increase the drainage capacity of the storm drain system; and

WHEREAS, on June 21, 2022, City Council awarded a contract to 3Sixty Innovation, Inc. (3Sixty) in the amount of \$499,460 with a contingency of \$99,000 for the Storm Drain Improvements at 1601 Calle Las Bolas (Project); and

WHEREAS, the total estimated construction cost for the project was \$653,460 including the construction management, administration, inspection and soil testing of \$55,000; and

WHEREAS, from February 21 to March 21, 2023, Orange County experienced approximately 10.5 inches of rain, in comparison to the total annual 13 to 15 inches of rainfall for Orange County; and

WHEREAS, during construction, excess rainfall and heavy storms caused ground water surges into trenches that exceeded expectations and the increased cost due to ground water challenges, dewatering and trench shoring, exceeded the approved contingency of \$99,000 for the Project; and

WHEREAS, the total Change Orders due to the excess ground water and additional shoring was \$79,030, excluding the cost of an emergency trenchless repair of an 8-inch sewer main (i.e. \$38,311); and

WHEREAS, during construction, a close circuit TV (CCTV) inspection showed that the 8-inch sewer main within the construction area needed an emergency trenchless repair; and

WHEREAS, 3Sixty provided a proposal in the amount of \$38,311 to conduct this emergency trenchless repair, which cost was reasonable; and

WHEREAS, due to all the additional rain related work, the construction management and inspection efforts increased, requiring more staff time and consultant support.

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

SECTION 1. That the above recitations are true and correct and incorporated herein.

SECTION 2. That the Project contingency for the Storm Drain Improvements at 1601 Calle Las Bolas, CIP Project No. 10015 is hereby increased by \$79,030.

SECTION 3. That staff is authorized and directed to transfer \$38,311 in funding from the Sewer Depreciation Reserve Fund to Account No. 033-834-45300-000-10015, Las Bolas Storm Drain Improvements, CIP Project No. 10015.

SECTION 4. That an additional \$25,000 for the construction management and inspection services for the Storm Drain Improvements at Called Las Bolas, CIP Project No. 10015 is hereby approved.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this _____ day of August, 2023.

Mayor of the City of
San Clemente, California

ATTEST:

CITY CLERK 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. 23-78 was adopted at a regular meeting of the City Council of the City of San Clemente held on _____ day of August 2023, 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

Notice of Exemption

Form D

To: Office of Planning and Research
P.O. Box 3044, Room 212
Sacramento, CA 95812-3044

From: (Public Agency) City of San Clemente (Amir Ilkhanipour)
Public Works/Engr. Division, 910 Calle Negocio, Suite 100
San Clemente, CA 92673

County Clerk
County of

(Address)

Orange County Clerk/Recorder
P.O. Box 238
Santa Ana, CA 92702

Project Title: Storm Drain Improvements at 1601 Calle Las Bolas, Project No. 10015

Project Location - Specific:

From the intersection of Calle Las Bolas and Avenida Florencia, about 640 feet south of the intersection within Avenida Florencia, San Clemente, California, 92672

Project Location - City: San Clemente Project Location - County: Orange

Description of Nature, Purpose and Beneficiaries of Project:

The work consists of extension of the existing 36-inch storm drain at the intersection of Calle Las Bolas and Avenida Florencia in a southerly direction within Avenida Florencia. The size of the proposed storm drain is 24 inches in diameter. As part of this project, three curb inlets with gratings will also be constructed. In heavy rains, Avenida Florencia experiences local flooding that will be alleviated upon completion of this project.

Name of Public Agency Approving Project: City of San Clemente

Name of Person or Agency Carrying Out Project: City of San Clemente

FILED

APR 26 2022

HUGH NGUYEN, CLERK-RECORDER

BY: [Signature] DEPUTY

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Section 15303, Class 3
Statutory Exemptions. State code number:

Reasons why project is exempt:

Consistent with Section 15303, the project consists of extension of an existing 36-inch storm drain line approximately 640 feet upstream to more effectively capture the storm runoff on a steep street. This project is essential to the neighborhood to reduce local street overflows.

Lead Agency
Contact Person: Christopher Wright Area Code/Telephone/Extension: (949) 361-6193

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [X] Yes [] No

Signature: [Signature] Date: 4/19/2022 Title: Associate Planner

- [X] Signed by Lead Agency
[X] Signed by Applicant

Date received for filing at OPR:

POSTED

APR 26 2022

Revised 2005

30-0474/2022-0322

RESOLUTION NO. 23-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, ACCEPTING AS COMPLETE THE STORM DRAIN IMPROVEMENTS AT 1601 CALLE LAS BOLAS, CIP PROJECT NO. 10015

WHEREAS, the Storm Drain Improvements at 1601 Calle Las Bolas (Project) are 760 linear feet of storm drain pipe line installation and also includes construction of three catch basins on Avenida Florencia and related improvements; and

WHEREAS, on June 21, 2022, the City Council awarded a construction contract to 3Sixty Innovation, Inc. in the amount of \$499,460 with a contingency of \$99,000 for the Storm Drain Improvements at 1601 Calle Las Bolas; and

WHEREAS, on May 15, 2023, City Council increased the project contingency by \$79,030 and authorized transfer of \$38,311 from the Sewer Depreciation Reserve Fund into Account No. 033-834-45300-000-10015;

WHEREAS, the final cost for the construction work completed by 3Sixty Innovation, Inc. was \$715,800; and

WHEREAS, 3Sixty Innovation, Inc. has completed the work to the satisfaction of the Public Works Director.

NOW, THEREFORE, the City Council of the City of San Clemente hereby resolves as follows:

SECTION 1. The foregoing recitals are true and correct and incorporated by this reference.

SECTION 2. The work performed by 3Sixty Innovation, Inc. for the Storm Drain Improvements at 1601 Calle Las Bolas, CIP Project No. 10015 is hereby accepted as complete.

SECTION 3. The Public Works Director/City Engineer is authorized and directed to execute and record a Notice of Completion for CIP Project No. 10015.

SECTION 4. The City Clerk is authorized and directed to release the Payment Bond 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the Contractor, 3Sixty Innovation, Inc.

SECTION 5. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED AND ADOPTED this _____ day of September, 2023.

Mayor of the City of
San Clemente, California

ATTEST:

CITY CLERK 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. 23-104 was adopted at a regular meeting of the City Council of the City of San Clemente held on _____ day of September 2023, 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