



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### CITY COUNCIL MEETING

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

Meeting Date: September 17, 2024

Agenda Item: 11F

**Submitted By:** Public Works

**Prepared By:** Masako Hennequin, Associate Civil Engineer

**Subject:**

**CONSIDERATION OF A RESOLUTION TO ACCEPT AND FILE A NOTICE OF COMPLETION FOR THE PAVEMENT PRESERVATION PROGRAM - UTILITY ADJUSTMENTS, CIP PROJECT NO. 13321**

**Fiscal Impact:**

The total construction cost of \$87,247 was under the approved construction budget of \$91,403 from the Gas Tax Fund, account number 012-861-45300-000-13321.

**Summary:**

Before the City Council is a Resolution and Notice of Completion for the Pavement Preservation Program - Utility Adjustments.

**Background:**

On June 18, 2024, the City Council awarded a construction contract to EBS Utility Adjusting, Inc. for the Pavement Preservation Program - Utility Adjustments. The project included removing and replacing (18) manhole frames and covers, and adjusting (4) manhole covers and (10) water valve cans to match the existing pavement grade to improve driving conditions and reduce damage to the pavement around the utility covers. The completed utility adjustment locations are listed on Attachment 4.



Pre-Construction



Post Construction



Pre-Construction



Post Construction

A summary of the total construction expenditures is provided below:

Construction Management and Inspection	\$ 9,272
Construction	\$77,975
<b>Total Project Construction Cost</b>	<b>\$87,247</b>

**Council Options:**

- Adopt Resolution No. 24-147, which would accept the completed Pavement Preservation Program - Utility Adjustments, CIP Project NO. 13321.
- Modify and adopt Resolution No. 24-147.
- Continue the item with direction 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 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.

**Recommended Actions:**

Staff Recommendation

Staff recommends that the City Council Adopt Resolution No. 24-147, which would:

1. Accept the Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321, from EBS Utility Adjusting, Inc.;
2. Authorize the Public Works Director to execute and record the Notice of Completion for the Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321;

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, EBS Utility Adjusting, Inc.; and
4. Authorize the City Clerk to release the performance bond for this project upon receipt of a warranty bond in a form acceptable to the Public Works Director in the amount of 25% of the total construction cost.

***Attachment:***

1. Resolution No. 24-147
2. Notice of Completion
3. Staff Report dated June 18, 2024 (without attachments)
4. Completed Utility Adjustment Locations

***Notification:***

None.

RESOLUTION NO. 24-147

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
SAN CLEMENTE, CALIFORNIA, ACCEPTING AS  
COMPLETE THE PAVEMENT PRESERVATION PROGRAM  
- UTILITY ADJUSTMENTS (CIP PROJECT No. 13321)

WHEREAS, on June 18, 2024, the City Council awarded a construction contract to EBS Utility Adjusting, Inc. for Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321; and

WHEREAS, the work consisted of removing and replacing manhole frames and covers, and adjusting manhole covers and water valve cans; and

WHEREAS, EBS Utility Adjusting, Inc. has completed the work to the satisfaction of the Public Works Director.

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 City Council accepts as complete the Pavement Preservation Program - Utility Adjustments (CIP Project No. 13321) from EBS Utility Adjusting, Inc.

Section 3. That the City Council authorizes and directs the Public Works Director to execute and the City Clerk to record a Notice of Completion for CIP Project No. 13321.

Section 4. That the City Council authorizes and directs the City Clerk to release the payment bond for this project 35 days from the recordation of the Notice of Completion upon verification with the Engineering Division that no liens have been levied against the EBS Utility Adjusting, Inc.

Section 5. That the City Council authorizes and directs the City Clerk to release the performance bond for this project upon receipt of a warranty bond in a form acceptable to the Public Works Director in the amount of 25% of the total construction cost.

Section 6. 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 \_\_\_\_\_, 2024.

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. 24-147 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

**Attachment 2**

**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:* Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321.
- 2. *Date of completion:* August 20, 2024.
- 3. *Street address or legal description of the project site:* Various streets.
- 4. *Name of owner:* City of San Clemente.
- 5. *Interest or estate of owner:* Public Facility; Owned in Fee.
- 6. *Address of owner:* 910 Calle Negocio, San Clemente, CA 92673
- 7. *Name and address of contractor:* EBS Utility Adjusting, Inc., 1345 Quarry Street, Suite 101, Corona, CA 92879.

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.

\_\_\_\_\_  
Dave Rebensdorf, Public Works Director / City Engineer  
City of San Clemente



# AGENDA REPORT

## CITY OF SAN CLEMENTE

### CITY COUNCIL MEETING

**Meeting Date:** June 18, 2024

**Agenda Item:** 110

**Submitted By:** Public Works

**Prepared By:** Masako Hennequin, Associate Civil Engineer

**Subject:**

**CONSIDERATION OF A RESOLUTION AWARDING A CONSTRUCTION CONTRACT TO EBS UTILITIES ADJUSTING, INC. FOR PAVEMENT PRESERVATION PROGRAM - UTILITY ADJUSTMENTS, CIP PROJECT NO. 13321, IN AN AMOUNT NOT TO EXCEED \$74,185, AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONSTRUCTION CONTRACT, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**Fiscal Impact:**

The estimated total construction cost of \$91,403 is within the remaining approved budget amount of \$167,524 from the Pavement Preservation Program, Account No. 012-861-45300-000-13321.

**Summary:**

Before the City Council is the award of a construction contract to EBS Utilities Adjusting, Inc. in an amount not to exceed \$74,185, and approving a 10% project contingency, for the Pavement Preservation Program - Utility Adjustments.

**Background:**

Existing manhole covers and water valve cans that are not level with the street grade can cause unsafe driving conditions and damage the pavement around the utility covers. The proposed Pavement Preservation Program - Utility Adjustments project includes adjusting existing manhole covers and water valve cans, and removing and replacing damaged manhole frames and covers to improve drivability and prevent pavement damage. In addition, manholes and valve cans will be slightly raised in preparation for slurry seal of City streets. Proposed utility adjustment locations are listed on Attachment 2.



Existing Water Valve Cans



Existing Sewer Manhole

On May 2, 2024, staff reached out to local contractors, published a notice inviting bids for this project in the SC Times, and published a bid solicitation on PlanetBids. Bids were opened on May 16, 2024, and the results are presented in the table below. Bids range from \$74,185 to \$92,700. There were no bidders from any businesses based in San Clemente. The lowest responsive and responsible bidder is EBS Utilities Adjusting, Inc. of Corona, California with a total bid amount of \$74,185.

**Table 1. Bid Summary**

Company Name	Company Location	Amount
EBS Utilities Adjusting, Inc.	Corona, CA	\$74,185.00
Manhole Adjusting, Inc.	Pico Rivera, CA	\$92,700.00

Based on the lowest bid, the total estimated project construction cost is \$91,403 as summarized below:

**Table 2. Cost Summary**

Construction Management and Inspection	\$9,800
Construction	\$74,185
Contingency (10%)	\$7,418
<b>Total Estimated Construction Cost</b>	<b>\$91,403</b>

As required by state law and City policy, the EBS Utilities Adjusting 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.

**Council Options:**

- Adopt Resolution No. 24-105 (Attachment 1), awarding the Pavement Preservation Program - Utility Adjustments contract to EBS Utilities Adjusting, Inc., authorizing the City Manager to execute a construction contract an amount not to exceed \$74,185, approving a 10% project contingency of \$7,418, and finding the project categorically exempt from CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines.
- Modify and adopt Resolution No. 24-105.
- Continue the item and direct staff to provide additional information.
- Do not award the contract or construct the sidewalk improvements.

**Environmental Review/Analysis:**

This project is exempt from the California Environmental Quality Act (CEQA) under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines because it consists of repairs to existing City facilities, involves negligible or no expansion of existing or former use and there is no possibility of a direct or reasonably foreseeable indirect effect on the environment.



***Recommended Actions:***

**Staff Recommendation**

Staff recommends that the City Council adopt Resolution No. 24-105, which will:

1. Find the Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321, categorically exempt from the CEQA under Class 1 (Existing Facilities, 14 CCR section 15301) of the State CEQA Guidelines;
2. Award the Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321, contract to EBS Utilities Adjusting, Inc.;
3. Authorize the City Manager to execute a contract with EBS Utilities Adjusting, Inc. in an amount not to exceed \$74,185, in a form substantially similar to Contract No. 24-35 (Attachment 3) for the Pavement Preservation Program - Utility Adjustments, CIP Project No. 13321; and
4. Approve a 10% construction contingency of \$7,418 for this project.

***Attachment:***

1. Resolution No. 24-105
2. Proposed Utility Adjustment Locations
3. Contract No. 24-35

***Notification:***

All bidders

APPENDIX 3  
MANHOLE AND WATER VALVE CAN ADJUSTMENT LIST

No.	Address	City furnished sewer manhole frame and lid	Adjust existing manhole	Adjust water valve can
1	N. ECR NB No. 2 lane at Pico intersection	1		
2	(*)N. ECR NB just NO of Camino San Clemente	1		
3	(*)N. ECR SB just NO of Ave. Estacion	1		
4	SCHS entrance immediately behind drive approach	1		
5	Ave. Pico EB No. 2 lane EO SC High School signal	1		
6	across from 119 Camino San Clemente			2
7	Ave. Pico EB No. 1 lane at Presidio intersection	1		
8	Ave. Pico EB No. 1 lane EO Triton Way signal	1		
9	Calle Frontera No. 2 lane before Avenida Faceta		1	
10	Ave. Pico WB No. 4 lane at Frontera intersection			2
11	Ave. Pico WB No. 3 lane west of SCHS intersection		1	
12	Camino Del Rio EB across from Brillante (SD manhole)	1		
13	Los Mares EB before Camino Del Rio roundabout	1		
14	Los Mares WB No. 1 lane at Portico Del Sur intersect.	1		
15	Los Mares WB No. 2 lane west of Ave. Vaquero	1		
16	Camino Vera Cruz NB at Sarmentoso intersection	1		
17	S. El Camino Real NB No. 2 at E. San Gabriel	1		
18	S. El Camino Real SB No. 1 before W. San Gabriel	2		
19	S. El Camino Real NB No. 2 lane at Ave. Presidio	1		
20	S. El Camino Real NB No. 2 lane across from Esplanade	1		
21	Camino Faro at Camino Corso Rio		1	
22	Ave. Vista Hermosa WB No. 2 lane before Cam. Faro			1
23	Ave. Vista Hermosa WB No. 2 lane at Camino Faro			1
24	N. ECR NB lane at Cm. San Clemente intersection			1
25	675 Camino De Los Mares WB No. 2, 3 lanes			1
26	653 Camino De Los Mares WB No. 3 lane			1
27	Ave. La Pata No. 1 lane NB before Del Cerro	1		
28	Ave. La Pata No. 3 lane SB south of Fire Station #59		1	
29	Remove abandoned OC Surveyor monument can on Calle Frontera No. 1 lane before Avenida Faceta			1
<b>TOTAL</b>		<b>18</b>	<b>4</b>	<b>10</b>

(\*) Sewer MH (38" lid)