



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: 9A

Submitted By: Public Works

Prepared By: Amir K. Ilkhanipour, Principal Civil Engineer

Subject:

CONSIDERATION OF A RESOLUTION TO INCREASE THE AMOUNT OF SAND BEING PLACED ON NORTH BEACH DUE TO COST SAVINGS WITHIN THE NORTH BEACH EMERGENCY SAND PLACEMENT PROJECT, CIP PROJECT NUMBER 14901, AND REALLOCATING THESE SAVINGS TO INCREASE THE CONSTRUCTION CONTINGENCY FROM 10% TO 19%

Fiscal Impact:

Staff is requesting to increase the project contingency to utilize project cost savings to complete additional sand delivery. The estimated total project cost at this time for delivery of 30,000 cubic yards of sand is \$1,750,000 and is significantly under the approved project budget of \$2,036,000.

Summary:

The City is currently actively engaged in the sand replenishment of North Beach under a construction contract with GCI Construction, Inc. This contract provides for 30,000 cubic yards of sand delivery, and placement and grading of the newly delivered sand and is coming in significantly under budget. The City has a current allocation of 50,000 cubic yards of sand from the County of Orange, although the County recently informed staff that there is an estimated additional 7,000 cubic yards of sand available at this time. Staff is suggesting that project savings could be utilized to amend the contract to deliver more sand.

In order to increase the amount of sand for the project, within that which the City has been allocated from the County of Orange, an increase in the project's contingency from 10% to 19% is proposed. By increasing the contingency, per the City's Procurement Policy and Procedures (Section 7.65 (a)), department level staff can approve change orders up to the authorized contingency as long as it is under 19 percent of the contract price. With this increase in contingency and an approved change order, an additional 7,000 cubic yards can be delivered within the current project budget.

Project savings have been realized by utilizing City staff for Construction Administration and Management in lieu of consultants. Additional savings within the existing contract were found due to the speed at which the project has progressed, reducing the costs associated with railway flagging and coordination. The estimated savings for these two items is approximately \$155,000. By increasing the construction contingency from \$172,600 (10%) to \$327,940 (19%), City staff can issue a change order to increase the amount of sand delivered by approximately 7,000 cubic yards.



Background:

In May 2024, the City Council authorized restarting the Sand Compatibility and Opportunistic Use Program (SCOUP) in the City under Resolution No. 24-93. Previously, from 2000-2016, the City had a SCOUP that allowed the placement of up to 300,000 cubic yards per year of sand, on four beaches in the City, with permits valid for a period of five-years.

The City of San Clemente was experiencing critical erosion hot spots that had developed along the San Clemente shoreline at North Beach due to lack of sand supply and prevailing sediment deficit condition that exists in South Orange County. As a result of the current effort, the public facilities located at North Beach now have improved protection from any erosion due to the ocean’s waves, which has been achieved by the new placement of sand.

On June 18, 2024, the City Council approved awarding a construction contract to GCI Construction, Inc. in the amount of not to exceed \$1,726,000 for the delivery and placement of 30,000 cubic yards of sand. The estimated project cost summary table previously approved by the City Council is shown below.

Item	Item Cost
Construction Administration and Management	\$138,080
Construction	\$1,726,000
Contingency (10%)	\$172,600
Total Budgeted Amount	\$2,036,680

Over the duration of the project, staff has managed to realize cost savings in the Construction Administration and Management area as well as railroad fees since the project is ahead of schedule. By re-itemizing these savings, it is possible to increase the project contingency and thereby expend the saved funds to deliver and place an additional 7,000 cubic yards of sand through this existing contract. Approval of a contingency increase will allow staff to authorize a change order for a project total 37,000 cubic yards of sand as part of the current contract.

If the City Council approves reallocating the cost saving, the estimated project cost summary table will be changed as shown below.

Item	Original Budget	New Budget
Construction Administration and Management	\$138,080	\$24,080
Original Construction Contract	\$1,726,000	\$1,684,660
Contingency (from 10% to 19% of original contract amt)	\$172,600	\$327,940
Total Budgeted Amount	\$2,036,680	\$2,036,680

Council Options:

- Adopt Resolution No. 24-142 (Attachment 1), which will amend the funding amounts within the current North Beach Emergency Sand Placement Project to increase the construction contingency amount from 10% to 19% to allow for an additional 7,000 cubic yards of sand delivery and placement.
- Modify and adopt Resolution No. 24-142.
- Continue the item and direct staff to provide additional information.
- Do not modify the funding amounts of the current North Beach Emergency Sand Placement Project.

Environmental Review/Analysis:

This project was previously deemed an emergency project and found statutorily exempt per California Environmental Quality Act Guidelines Section 15269.

Recommended Actions:

Staff Recommendation

Staff recommends that the City Council adopt Resolution No. 24-142, which will utilize project savings to reallocate budgeted costs North Beach Emergency Sand Placement Project, CIP Project Number 14901 to increase the construction contingency from 10% (*i.e.*, \$172,600) to 19% (*i.e.*, \$327,940) to provide for an additional 7,000 cubic yards of sand to be delivered and placed at North Beach.

Attachments:

1. Resolution No. 24-142
2. Staff Report dated June 18, 2024 (without attachments)

Notification:

None.

ATTACHMENT 1

RESOLUTION NO. 24-142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CLEMENTE, CALIFORNIA, APPROVING FUNDING REALLOCATION WITHIN THE EXISTING BUDGET FOR THE NORTH BEACH EMERGENCY SAND PLACEMENT PROJECT, CIP PROJECT NUMBER 14901 AND AN INCREASE IN THE CONSTRUCTION CONTINGENCY FROM 10% TO 19%

WHEREAS, the City was experiencing critical erosion hot spots along the shoreline at North Beach due to lack of sand supply and deficient prevailing sedimentation; and

WHEREAS, due to the potential for further impacts in the absence of natural beach sand replenishment from creeks and stream channels, the City was unable to open the beach facilities at this location as they are currently being undermined by direct wave impacts; and

WHEREAS, the City is actively developing a comprehensive, citywide coastal resiliency strategy using beach sand replenishment and sand retention as the primary means of restoring the sandy beach in the City; and

WHEREAS, in February 2024, the City Council directed staff to take all steps necessary to re-establish a Sand Compatibility and Opportunistic Use Program (SCOUP) in the City, a contractor was retained by the City in May 2024 to assist with formally re-establishing SCOUP; and

WHEREAS, SCOUP is consistent with Federal, Statewide, regional, and local shoreline management goals which recognize the importance of public beach restoration along the South Orange County shoreline as the preferred method of addressing the critical coastal erosion problems caused by an overall lack of sediment supply; and

WHEREAS, in the absence of a SCOUP program, continued erosion and loss of the sandy beach is expected to occur; and

WHEREAS, the City is currently engaged in the replenishment of approximately 1,500 feet of coastline at "North Beach" with 30,000 cubic yards of sand under a construction contract with GCI Construction, Inc. for the North Beach Emergency Sand Placement Project, CIP Project Number 14901; and

WHEREAS, City staff has realized cost savings in multiple aspects of the project's effort, which has freed up funds within the project budget and allows for the increase of construction contingency from 10% to 19% of the construction

costs within the current budget allocation; and

WHEREAS, by increasing the construction contingency amount, sand can more cost-effectively be delivered and spread for the replenishment of North Beach; and

WHEREAS, this increase in contingency will provide for the delivery and placement of an additional 7,000 cubic yards of sand to the original 30,000 cubic yards being placed; and

WHEREAS, the City previously determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) under Emergency Projects (*i.e.*, Emergency Projects - 18 CCR §15269), Section 15269 of the State CEQA Guidelines.

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 fully incorporated herein.

SECTION 2. That project savings shall be utilize to reallocate budgeted costs for the North Beach Emergency Sand Placement Project, CIP Project Number 14901 and an increase in the construction contingency from 10% (\$172,600) to 19% (\$327,940) for said project to provide for an additional 7,000 cubic yards of sand to be delivered and placed at North Beach is hereby approved.

SECTION 3. That staff is authorized and directed to execute such documents and take such actions as are necessary and proper to carry out the purposes of this resolution.

SECTION 4. 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. 23-142 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



AGENDA REPORT
CITY OF SAN CLEMENTE
CITY COUNCIL MEETING

Meeting Date: June 18, 2024

Agenda Item: 10D

Submitted By: City Manager

Prepared By: Leslea Meyerhoff, Contract Coastal Administrator

Subject:

CONSIDERATION OF A RESOLUTION FINDING THAT AN EMERGENCY EXISTS DUE TO SAND EROSION AND IMMEDIATE NEED OF SAND PLACEMENT AT NORTH BEACH, AWARDING A CONSTRUCTION CONTRACT TO GCI CONSTRUCTION, INC. FOR THE NORTH BEACH EMERGENCY SAND PLACEMENT PROJECT, PROJECT NO. 14901, IN AN AMOUNT NOT TO EXCEED \$1,726,000, APPROVING A SUPPLEMENTAL APPROPRIATION FROM GENERAL FUND UNASSIGNED FUND BALANCE, 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 the North Beach Emergency Sand Placement Project is \$2,036,680. This expenditure will be funded through transfer of funds from existing projects as shown below, and a supplemental appropriation in the amount of \$536,680 from the General Fund Unassigned Fund Balance. The following transfers are recommended to Account No. 001-636-45300-000-14901 as follows:

Transfer From	Project Name	Amount (\$)
001-636-45300-000-19907	Army Corps Sand Project	\$750,000
001-636-45300-000-14809	North Beach Concession Building	\$300,000
001-636-45300-000-14193	North Beach Playground	\$150,000
001-416-45710-000-22307	Avenida Victoria Sidewalk Widening	\$300,000
Total:		\$1,500,000

Summary:

The City is seeking qualified companies who can deliver 30,000 cubic yards of sand from the Santa Ana River to the City’s beaches and spread it out along a 1,500 foot length of beach from North Beach south towards Mariposa Point. To support this emergency project, on June 6, 2024, the City initially contacted and solicited bids from four companies for (1) trucking sand from the Santa Ana River stockpile site managed by OC Public Works in Costa Mesa to North Beach in San Clemente, and (2) spreading the sand on the beach once delivered. Prior to receiving any bids from these four contractors, the invitation to receiving bids was also extended and published on the PlanetBids.

Before the City Council is a resolution (Attachment 1) declaring that an emergency exists due to sand erosion and immediate need of sand placement on North Beach, awarding a construction contract to GCI Construction, Inc. in the amount of \$1,726,000, and approving a 10% project contingency.

Background:

In May 2024, the City Council authorized restarting the Sand Compatibility and Opportunistic Use Program (SCOUP) in the City under Resolution No. 24-93. Previously, from 2000-2016, the City had a SCOUP which allowed the placement of up to 300,000 cubic yards per year of sand, on four beaches in the City, with permits valid for a period of five-years. However, as City permits expired, the City is now in the process of re-establishing, and potentially expanding, the SCOUP obtaining environmental clearances and all required permits.

The City will utilize a previously permitted beach sand placement area that is 1,500 feet long, as shown on Attachment 3. Importantly, the southern 530 feet of this beach sand placement area is also located within OCTA's shoreline Reinforcement Areas 1 and 2 (Attachment 4) and thus the sand placed by the City will also be of direct benefit to the railroad that traverses the entirety of the City. The railroad that runs through the City of San Clemente is a designated U.S. Department of Defense (DOD) Strategic Defense Rail Corridor.

The City's original SCOUP sites were North Beach, extending south 1,500 feet, Linda Lane Beach, extending a distance of 1,500 feet, T-Street Beach North, extending from the pier 1,000 feet south and T-Street Beach South, extending a distance of 1,200 feet south.

Development of a new SCOUP for San Clemente commenced in May 2024 as follows:

- Phase 1: Initiated in May 2024. Conduct an opportunities and constraints analysis to define the areas of the City where opportunistically available beach compatible sediment can be placed. Phase 1 is anticipated to be completed by the end of 2024.
- Phase 2: Conduct environmental review and compliance tasks under the California Environmental Quality Act (CEQA) and possibly the National Environmental Policy Act (NEPA). Phase 2 would be completed within one year and would be initiated following completion on Phase 1 and direction from the City likely in FY 25/26.
- Phase 3: Prepare applications and process regulatory approvals with U.S. Army Corps of Engineers (Regulatory Branch); California Coastal Commission; Regional Water Quality Control Board, California State Lands Commission, and the Southern California Regional Rail Authority. Phase 3 could be initiated and completed concurrently with Phase 2. Preparation of permit applications and submittal to the applicable agencies would take a few months. Agency processing time is highly variable but typically ranges from nine to 12 months depending on the agency and agency staff workload.
- Phase 4: SCOUP project implementation. Due to the current availability of free sand from the County of Orange and California State Parks, City staff is developing two SCOUP projects as follows: 30,000 cubic yards from the Santa Ana River in Summer 2024 and up to 45,000 cubic yards of sand from Huntington State Beach in Fall 2024. Both of these are interim projects that are being advanced through individual permit processes with the Coastal Commission, USACE, Southern California Regional Rail Authority and OC Public Works due to the availability of the beach quality sand being donated to the City by the County and State of California.

On June 17, 2024, bids were opened and results are presented in the table below. Bids ranged from \$1,726,000 to \$3,130,000. The lowest responsive and responsible bidder, based on the Base Bid, is \$1,576,000, of GCI Construction, Inc., of California with a total bid amount of \$1,726,000. Based on the lowest bid, including the Alternate Bid Item, the total estimated project construction cost is \$2,036,680, as summarized below:

Construction Administration and Management	\$ 138,080
Construction	1,726,000
Contingency	172,600
Total Estimated Construction Cost	\$ 2,036,680

The above construction cost, as part of the contractor's contract, includes \$150,000 allowance for the required railroad flagging and coordination with the Southern California Regional Rail Authority (SCRRA), and a bid alternate in the amount of \$150,000 for potential shoring and protection of the existing Orange County bridge over the Segunda Deshecha Canada Channel (OCFCD Facility No. M02). A structural analysis and permit are required from the Orange County Public Works prior to utilizing the bridge to deliver sand.

As required by the City policy and state law, the Contractor will be required to provide performance and payment bonds simultaneously with execution of the construction contract (Attachment 2). Project plans and specifications are on file in the City Clerk's office.

Discussion:

The City of San Clemente is experiencing critical erosion hot spots that have developed along the San Clemente shoreline at North Beach due to lack of sand supply and prevailing sediment deficit condition that exists in South Orange County. Due to the potential for further impacts in the absence of natural beach sand replenishment from creeks and stream channels, the City is unable to open the beach facilities in this location as they are currently being undermined by direct wave attack. It's unclear how long these facilities will be able to withstand direct wave attack from lack of sand on the public beach.

According to the City's Chief of Marine Safety, emergency response to beach incidents is now significantly impacted due at North Beach due to the critical coastal erosion caused by a lack of sand. At present, emergency response vehicles cannot access North Beach at high tide. A secondary route used to exist via the Coastal Trail but that is now temporarily closed due to a landslide which forced removal of bridge sand/segments that provided public coastal access as well as an emergency response path to North Beach at high tide.

The loss of sand at North Beach now prevents emergency vehicles from accessing the North Beach area in case of emergencies. The lack of access poses a serious risk to the safety and well-being of residents and highlights the urgent need for this solution to address this ongoing issue which is sand replenishment as planned by the City.

In the week of May 13, 2024, the cement staircase leading to the North Beach substation was lost due to ongoing sand erosion. This loss is just one example of the impact of the disappearing sand on City beaches. In response to this issue, one of the lifeguard towers at North Beach had to be relocated. Additionally, the beach staircases at Diji Court and El Portal to the south have been

deemed unsafe for public use due to the lack of sand. The erosion has also caused some fire rings to be swept away, while others have been removed entirely to prevent them from being washed away. The City used to have two sand volleyball courts at North Beach that have been removed due to sand loss.

Currently, the playground swing sets, concrete picnic tables, and the remaining City lifeguard tower are at risk of being lost as well unless the City can conduct an emergency sand placement operation using sand donated by the County of Orange and California State Parks. It is crucial that the City be able to address this issue in a timely manner to ensure the safety and preservation of City beaches and public recreational amenities enjoyed by residents and visitors.

The City is closely monitoring the situation and continues to inspect the damage and protect existing critical public infrastructures, facilities, and recreational beach amenities at North Beach. The City has attempted to manually push sand into the area in front of North Beach facilities to protect them from further undermining and wave attack but supplemental sand sources are now needed at North Beach.

Beach erosion has already closed the coastal trail just south of this location and emergency action is needed to protect this public beach area which sits immediately seaward of the OCTA/Metrolink Train Station, train tracks and related public parking lot.

Beach erosion has reached critical mass where an emergency response in the form of affirmative beach sand replenishment is planned by the City. Implementation of this emergency sand placement project will protect critical public infrastructure, existing structures, improve / restore coastal access and recreational opportunities, and provide protection for the railroad infrastructure inland of North Beach.

Based on emergency conditions that exist along the City shoreline where there is no dry sandy beach at high tide, exposing the public beach, existing structures and critical public infrastructure and facilities to direct wave attack, City staff moved with urgency to locate and deliver sand to the City to abate the emergency conditions caused by a lack of sand supply.

On May 2, 2024, the City requested a Coastal Development Permit (CDP) Waiver (CDP 05-24-0371) scheduled for the June 14, 2024 California Coastal Commission hearing that contemplates the placement of up to 50,000 CY of sand from the County. The placement of this material ahead of the restart of the City's formal SCOUP program will lessen the sediment deficit and could reduce the amount of sand that may need to be imported later to fulfill the sand needs of the City.

The City is also seeking concurrence under USACE Regional General Permit (RGP) 63 for the emergency placement of sand and is also obtaining approvals from San Diego Regional Rail Authority (Metrolink) for a right of way encroachment permit for the railroad crossing and for work within the railroad right of way and lastly an encroachment permit is needed from OC Public Works to cross the stormwater outlet structure at the north end of North Beach.

SCOUP is an important coastal resiliency tool that facilitates placement of opportunistically available beach quality sediments on the City's beaches. Having a fully developed SCOUP within the next few years will enable the City to optimize beach placement of opportunistically available

and compatible sediments by completing all environmental and permitting tasks up front, at a programmatic level rather than on a project-by-project basis (as is being done now for these emergency projects) saving the City both time and money.

Council Options:

- Adopt Resolution No. 24-93, declaring that an emergency exists due to sand erosion and immediate need of sand placement at North Beach, awarding the North Beach Emergency Sand Placement Project construction contract to GCI Construction, Inc., authorizing the City Manager to execute the construction contract in an amount of not to exceed \$1,726,000 with a 10% project contingency, approving various fund transfers and finding the project categorically exempt from the California Environmental Quality Act per Guidelines Section 15269.
- Modify and adopt Resolution No. 24-93.
- Provide alternative direction.

Environmental Review/Analysis:

The proposed project is an emergency project and is statutorily exempt per State California Environmental Quality Act Guidelines Section 15269.

Recommended Actions:

Staff Recommendation

Staff recommends that the City Council adopt Resolution No. 24-93, which would:

1. Declare that an emergency exists due to sand erosion and immediate need of sand placement at North Beach;
2. Find the project categorically exempt from the California Environmental Quality Act under state CEQA Guidelines Section 15269;
3. Approve a supplemental appropriation in the amount of \$536,680 to the project Account No. 001-636-45300-000-14901 from the General Fund Unassigned Fund Balance;
4. Approve transfer of funds to the project Account No. 001-636-45300-000-14901 from the following accounts:

Transfer From	Project Name	Amount (\$)
001-636-45300-000-19907	Army Corps Sand Project	\$750,000
001-636-45300-000-14809	North Beach Concession Building	\$300,000
001-636-45300-000-14193	North Beach Playground	\$150,000
001-416-45710-000-22307	Avenida Victoria Sidewalk Widening	\$300,000
	Total:	\$1,500,000

5. Award the North Beach Emergency Sand Placement, Project No. 14901, contract to GCI Construction, Inc.;

6. Authorize the City Manager to execute a construction contract with GCI Construction, Inc. in an amount of not to exceed \$1,726,000, in a form substantially similar to attached construction contract (Attachment 2) for the North Beach Emergency Sand Placement, Project No. 14901; and
7. Approve a 10% construction contingency of \$172,600 for this project.

Attachments:

1. Resolution No. 24-93
2. Draft Construction Contract
3. Site Plan showing limits of sand placement
4. OCTA's shoreline Reinforcement Areas 1 and 2

Notification:

All bidders.