



# OPERATIONS COMMITTEE

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## Agenda Report

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**File #:** 2024-3609

**Agenda Date:** 5/22/2024

**Agenda Item No:** 11.

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**FROM:** Robert Thompson, General Manager  
Originator: Mike Dorman, Director of Engineering

**SUBJECT:**

**TAFT BRANCH IMPROVEMENTS, PROJECT NO. 2-49**

### GENERAL MANAGER'S RECOMMENDATION

#### RECOMMENDATION:

- A. Adopt Resolution No. OC SAN 24-04 entitled: "A Resolution of the Board of Directors of the Orange County Sanitation District adopting the mitigated negative declaration for the Taft Avenue Sewer Improvement Project, Project No. 2-49; adopting a mitigation monitoring and reporting program; and approving the Taft Branch Improvements, Project No. 2-49" which (1) adopts the Initial Study / Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Taft Avenue Sewer Improvement Project, Project No. 2-49, prepared by Woodard & Curran Inc.; (2) approves the project; and (3) directs staff to file a Notice of Determination pursuant to the California Environmental Quality Act;
- B. Approve a project budget increase of \$3,900,000 for Taft Branch Improvements, Project No. 2-49, for a new total project budget of \$31,200,000;
- C. Receive and file the Bid Tabulation and Recommendation for Taft Branch Improvements, Project No. 2-49;
- D. Award a Construction Contract Agreement to Big Ben Inc. for Taft Branch Improvements, Project No. 2-49, for a total amount not to exceed \$20,458,250;
- E. Approve a contingency of \$2,045,825 (10%);
- F. Approve the Sewer Transfer Agreement between Orange County Sanitation District and the City of Orange, in a form approved by General Counsel; and direct the Clerk of the Board to record the document with the Orange County Clerk-Recorder's office; and
- G. Approve the Memorandum of Understanding between Orange County Sanitation District and the City of Orange for the Construction and Transfer of Sewer Facilities in Conjunction with Project No. 2-49.

## **BACKGROUND**

The Orange County Sanitation District (OC San) owns and maintains regional conveyance facilities in the City of Orange, including the 60-year-old 12 to 18-inch diameter Taft Branch sewer.

## **RELEVANT STANDARDS**

- Comply with California Public Contract Code Section 20103.8, award construction contract to lowest responsive, responsible bidder
- Ensure the public's money is wisely spent
- Sound engineering and accounting practices, complying with local, state, and federal laws

## **PROBLEM**

The 2019 Master Plan Update (Collections Capacity Evaluation Study) determined the Taft Branch does not have enough capacity under peak wet weather conditions. Additionally, the current sewer alignment has restricted maintenance access where it crosses under the 55 Freeway just south of Meats Avenue.

## **PROPOSED SOLUTION**

Award a construction agreement for Taft Branch Improvements, Project No. 2-49. This project will upsize the upper reach of the Taft Branch sewer in the City of Orange. This will include replacement of nearly 7,000 feet of pipe and associated manholes along Meats Avenue and Taft Avenue. It includes a new alignment of 3,400 feet on Sacramento Street and Taft Avenue to alleviate existing manhole access issues. The project will also include a swap of regional and local sewers including 2,700 feet of existing OC San piping on Tustin Avenue to be transferred to the City of Orange and 2,600 feet of regional piping owned by City of Orange to be transferred to OC San.

## **TIMING CONCERNS**

The piping is undersized for wet weather flows and until it is upsized there is an increased risk of a spill during a large storm.

## **RAMIFICATIONS OF NOT TAKING ACTION**

Not increasing the project budget will prevent OC San from awarding the construction contract agreement and mitigating the wet weather risks.

## **PRIOR COMMITTEE/BOARD ACTIONS**

N/A

**ADDITIONAL INFORMATION**

OC San advertised Project No. 2-49 for bids on January 10, 2024, and four sealed bids were received on March 12, 2024. A summary of the bid opening follows:

Engineer's Estimate	\$ 22,700,000
<u>Bidder</u>	<u>Amount of Bid</u>
Big Ben Inc.	\$20,458,250
James W. Fowler Co.	\$22,679,500
T.E. Roberts, Inc.	\$24,817,422
ARB, Inc.	\$24,976,165

The bids were evaluated in accordance with OC San's policies and procedures. A notice was sent to all bidders on April 10, 2024, informing them of the intent of OC San staff to recommend award of the Construction Contract Agreement to Big Ben Inc.

Staff recommends awarding a Construction Contract Agreement to the lowest responsive and responsible bidder, Big Ben Inc., for a total amount not to exceed \$20,458,250.

**CEQA**

Pursuant to CEQA, Public Resources Code Section 21000 et seq., OC San, as lead agency, caused Woodard & Curran, Inc. to prepare an initial study to analyze the potential environmental impacts of the proposed Taft Avenue Sewer Improvement Project (the "Project"). Based on the Initial Study and its supporting technical analyses, it was determined that all of the Project's potentially significant environmental impacts can be mitigated to a level of less than significant. On this basis, a Mitigated Negative Declaration (the "MND") and Mitigation Monitoring and Reporting Program (the "MMRP") have been prepared. (State Clearinghouse No. 2023070293.)

The 30-day public comment period for the MND occurred from July 18, 2023, to August 17, 2023. OC San prepared written responses to comments that were received during the public comment period.

There is no substantial evidence that the Project, as mitigated, will have a significant effect on the environment. Accordingly, staff recommends the adoption of the MND and the MMRP. The MND, MMRP, and related Resolution are attached to this report.

**FINANCIAL CONSIDERATIONS**

This request complies with the authority levels of OC San's Purchasing Ordinance. This item has been budgeted (Budget Update, Fiscal Year 2023-2024, Appendix A, Page 7, Taft Branch Improvements, Project No. 2-49). This item will increase the project budget and will be funded from the CIP budget.

**ATTACHMENT**

*The following attachment(s) may be viewed on-line at the OC San website ([www.ocsan.gov](http://www.ocsan.gov)) with the complete agenda package:*

- Resolution No. OC SAN 24-04
- Final Initial Study and Mitigated Negative Declaration
- Mitigation Monitoring and Reporting Program
- Construction Contract Agreement
- Sewer Transfer Agreement - City of Orange
- Memorandum of Understanding - City of Orange
- Presentation