

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Planning and Community Development

BOARD AGENDA # *D-2

Urgent

Routine

AGENDA DATE July 21, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Adopt Plans and Specifications for the Empire Improvement Project Phase 1A and Related Items

STAFF RECOMMENDATIONS:

1. Find the project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15302 of the California Code of Regulations and authorize staff to post a notice of exemption with the Clerk Recorder's Office.
2. Adopt plans and specifications for the Empire Improvement Project Phase 1A.
3. Direct staff to set the bid opening date and time.
4. Direct staff to publish and mail a notice inviting bids to trade journals as required by law.

FISCAL IMPACT:

The total estimated construction cost for Phase 1A is estimated at \$1,972,120. Construction engineering costs are estimated to be \$521,544 and include inspections, material testing, quality assurance, design support and budget contingency. The total estimated cost of construction for Phase 1A is \$2,494,000 with total Phase 1A project costs estimated not to exceed \$3,000,000. The project will be funded through a combination of Community Development Block Grant (approximately \$1.9 million) and Redevelopment Agency (\$1.1 million) funds.

(Continued on page 2)

BOARD ACTION AS FOLLOWS:

No. 2009-503

On motion of Supervisor Monteith, Seconded by Supervisor Chiesa
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

ATTEST:


ELIZABETH A. KING, Assistant Clerk

File No.

FISCAL IMPACT: (Continued)

With U.S. Department of Housing and Urban Development (HUD) grants and prior years of carryover reserves from annual allocations to the Stanislaus County Redevelopment Agency, this is a budgeted activity and there are funds available to cover the costs associated to deliver this phase of the project.

It is proposed to form a County Service Area (CSA) for Phase 1A. County Service Areas (CSAs) are generally formed when new improvements are installed providing a special benefit to those receiving the improvements. These special benefit services may include, but not be limited to monthly or bi-monthly street sweeping, park and streetscape maintenance and storm water system maintenance to ensure maximum service life of the system. CSA formation requires approval of the Local Area Formation Commission (LAFCO) and a majority vote of property owners within the improvement area. If the formation fails, the Department of Public Works will provide the minimum maintenance required to keep the storm drain system functioning however, it is anticipated that the system would fail before the maximum service life is realized. The cost of this minimum maintenance is estimated to be approximately \$5,000/year and will be absorbed into the Public Works Road Operations budget.

The formation proceedings for Phase 1A will be conducted concurrently with the construction schedule. The Department of Public Works anticipates returning to the Board to seek approval to initiate proceedings for the formation of this County Service Area in the near future. Additional improvements, excluding Phase 1A, within the preliminary master plan for the Empire Infrastructure Improvement Project, will be conditioned upon the successful formation of a County Service Area to cover ongoing maintenance costs.

DISCUSSION:

In March of 2006, the Board of Supervisors authorized the County to enter into a contract with Stantec Consulting Inc. to provide design, surveying and general engineering services to develop plans and specifications for the Empire Infrastructure Improvement Project. This design project is the first step toward the ultimate realization of storm drain infrastructure in Empire and is funded by the Community Development Block Grant (CDBG) Program and the Stanislaus County Redevelopment Agency.

A preliminary master plan has been developed to provide positive storm drainage for the entirety of the town of Empire. Due to funding constraints, the Planning and Community Development Department, in conjunction with the Department of Public Works has developed an initial plan for construction of only a small portion of the overall Master Plan. Phase 1A (Base Bid) consists of installing curb, gutters, handicap returns, new street section, a positive storm drain collection system and a self-contained underground french drain. The Phase 1A plan encompasses the area generally bounded on the south by Highway 132; on the west by E Street; on the east by I Street; and, on the north by 2nd Street and Center Avenue. This area was considered due to the geographical location and its proximity to the school, the developed park, the open

play area and the new pool facilities (Regional Water Safety Training Center). The Census 2000 data of the Median Household Income was also used. If the Base Bid is below the engineer's estimate, staff will consider recommending also awarding the bid additive which will include F Street, G Street and Sunshine Court, south of Highway 132. Attachment 1 provides a map illustrating Phase 1A project area, including the bid additive.

All of the right-of-way for this project has been acquired and utilities will be relocated by the utility companies in coordination with the contractor. Staff has completed the review of the plans and specifications and recommends that the Board of Supervisors adopt the plans and specifications, authorize staff to set the bid opening date and time, publish notice inviting bids as required by law, and mail a notice inviting bids to trade journals as required by law.

The following is a tentative schedule for the project Phase 1A:

Adopt Plans & Specifications	July 21, 2009
Advertise Project for Bid	July 27, 2009
Receive Bids	August 26, 2009
Award Contract	September 15, 2009
Notice to Proceed	October 05, 2009
Complete Construction	June 1, 2010

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15301 and 15302 of the California Code of Regulations; and this project converts to exempt, per the Code of Federal Regulations section 24 CFR 58.34(a)(12), because the project does not require any mitigation for compliance with any listed statutes or authorities, nor requires any formal permit or license as determined by processing the National Environmental Protection Act (NEPA) Statutory Worksheet.

POLICY ISSUES:

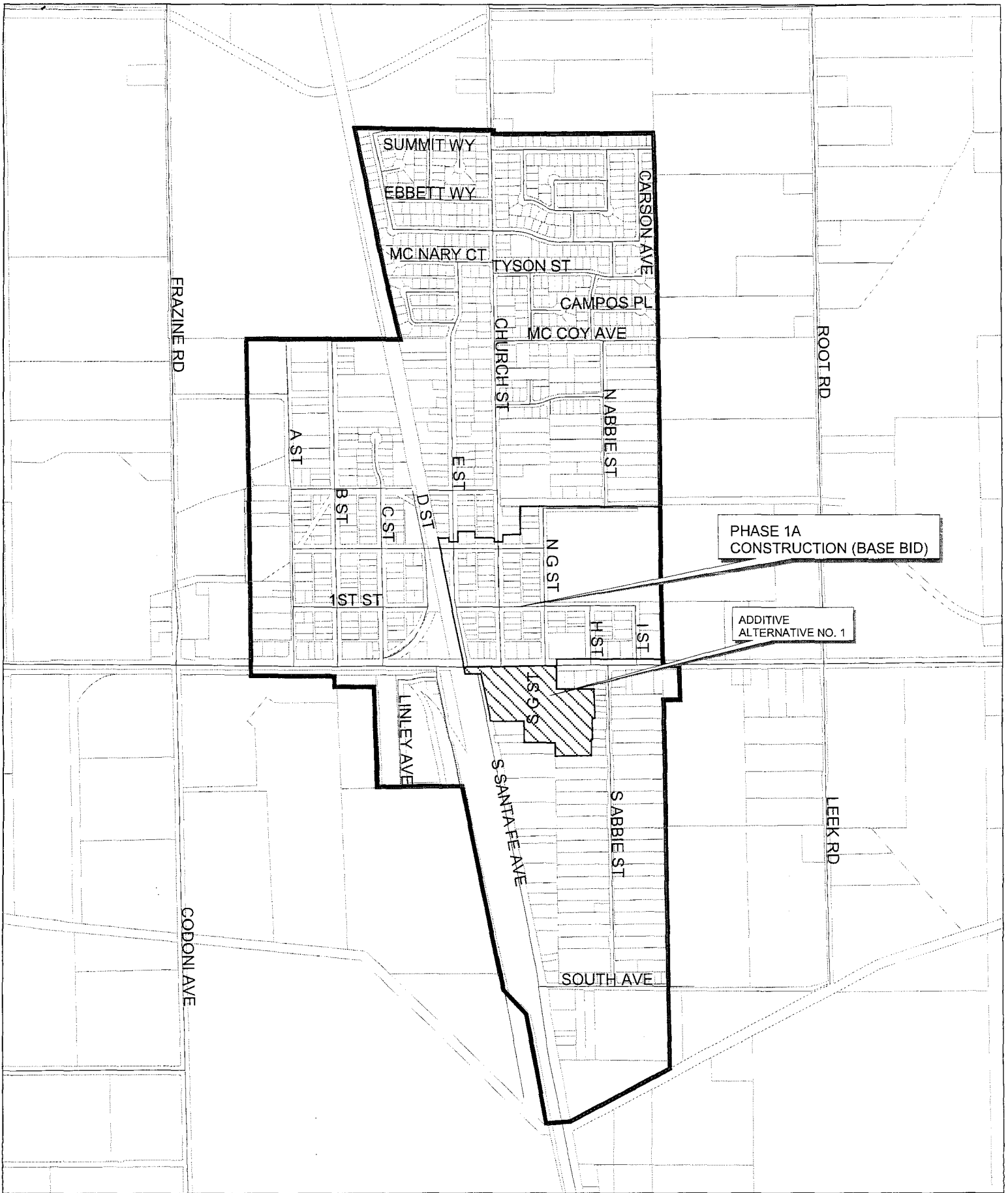
The Board should consider if the recommended actions are consistent with its priorities of providing a safe community, a healthy community and a well-planned infrastructure system.

STAFFING IMPACT:

There is no additional staffing impact associated with this item.

ATTACHMENTS:

1. Phase 1A Project Area Map
2. Plans and Specifications (Available from Clerk)



Empire MAC Outline

ATTACHMENT 1

482 0 482 964 Feet

This map is for display purposes only.



Map printed: 7/10/2009



Newspaper Advertisement

INVITATION TO CONTRACTORS

“Empire Improvement Project, Phase 1A”

Owner is Stanislaus County Department of Planning and Community Development, Modesto, CA. Sealed bids are due before 2:00 P.M., August 26, 2009, to the Clerk of the Board of Supervisors, 1010 10th Street, Ste. 6500, Modesto, CA 95354; Project contact is Charles T. Vasquez, charles.vasquez@stancounty.com or Fax: 209-525-4140. The work to be accomplished includes the installation of curb, gutter, handicap curb returns, new street section, a storm drain collection system, horizontal french drains and other related ancillary items not mentioned herein required as presented in the Construction Plans and Specifications.

Plans and specifications are available FOR VIEWING on the Valley Reprographics webpage at www.valleyreprographics.com. Paper copies are available from Valley Reprographics. Call (209) 338-0801 for questions regarding the purchase of plans and specifications.

**DECLARATION OF PUBLICATION
(C.C.P. S2015.5)**

**COUNTY OF STANISLAUS
STATE OF CALIFORNIA**

I am a citizen of the United States and a resident Of the County aforesaid; I am over the age of Eighteen years, and not a party to or interested In the above entitle matter. I am a printer and Principal clerk of the publisher of **THE MODESTO BEE**, printed in the City of **MODESTO** , County of **STANISLAUS** , State of California, daily, for which said newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of **STANISLAUS** , State of California, Under the date of **February 25, 1951, Action No. 46453**; that the notice of which the annexed is a printed copy, has been published in each issue there of on the following dates, to wit:

Jul 27, 2009, Aug 04, 2009, Aug 11, 2009

INVITATION TO CONTRACTORS
"Empire Improvement Project, Phase 1A"
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Pub Dates Jul 27, Aug 4 & 11, 2009

I certify (or declare) under penalty of perjury That the foregoing is true and correct and that This declaration was executed at

MODESTO, California on

August 11th, 2009

(Signature)

