



Folsom City Council Staff Report

MEETING DATE:	12/13/2022
AGENDA SECTION:	Consent Calendar
SUBJECT:	Resolution No. 10958 – A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 22-060) with Bender Rosenthal, Inc. for Right of Way Services for the Natoma Alley Rehabilitation and Replacement Project and Appropriation of Funds
FROM:	Environmental and Water Resources Department

RECOMMENDATION / CITY COUNCIL ACTION

The Environmental and Water Resources Department recommends the City Council pass and adopt Resolution No. 10958 – A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 22-060) with Bender Rosenthal, Inc. for Right of Way Services for the Natoma Alley Rehabilitation and Replacement Project and Appropriation of Funds.

BACKGROUND / ISSUE

The Environmental and Water Resources Department identifies sewer infrastructure rehabilitation and replacement projects through sewer master plans and ongoing sewer condition assessment programs. As a condition of the City's State permit for its wastewater collection system, the Environmental and Water Resources Department is required to perform ongoing condition assessments on the wastewater system and correct any defects/deficiencies identified through this process.

Through these efforts, portions of the water and wastewater system in the City have been identified as needing rehabilitation or replacement (R&R). A comprehensive plan has been developed for the R&R of these aging or failing systems and much of this work has been completed in recent years. The next phase of the R&R program includes the replacement and

relocation of sewer lines within Natoma Street and the Persifer and Mormon Alleys, between Stafford Street and Coloma Street.

This project will rehabilitate approximately 5,000 feet of sewer infrastructure along Natoma Street and the Persifer and Mormon Alleys between Stafford Street and Coloma Street, as well as relocate private sewer laterals. Through the City's sewer condition assessment program, City staff has had to perform continual maintenance in this area in order to sustain operations of these systems. These pipes are beyond their serviceable life and require rehabilitation and replacement.

During the 70% design phase of the new sewer system, it was determined that the best design option would be to construct multiple portions of the sewer mainline on three (3) separate parcels of private property. If a sewer mainline is located within private property, a Right of Way Easement is required which gives the City permission to access the private property to make any necessary repairs to the mainline. On October 27, 2022, the City entered into Agreement No. 173-21 22-060 with Bender Rosenthal, Inc in the amount of \$56,880 to provide three Right of Way Easements.

During the 100% design phase, City staff conducted further field investigations and determined that a portion of the new sewer mainline should be relocated to optimize the layout for design and construction and future operation of the sewer system. The final design called for constructing the new sewer mainline onto an additional three (3) separate parcels of private property. This requires obtaining three additional Right of Way Easements from Bender Rosenthal, Inc. Bender Rosenthal, Inc. will work with City staff to prepare the necessary surveying and documentation to obtain right of way easements for three (3) private properties. These easements will allow the City to access the sewer mainline and sewer lateral for any repairs or replacements that are needed in the future.

POLICY / RULE

In accordance with Chapter 2.36 of the Folsom Municipal Code, supplies, equipment, services, and construction with a value of \$66,141 or greater shall be awarded by City Council.

ANALYSIS

Amendment No. 1 includes the following tasks to complete the right of way easements:

- Right of Way Project Management
- Appraisal Services
- Acquisition Services
- Title and Escrow Services
- Memorandum of Appraisal Update
- Boundary Survey (Land Net)
 - Obtaining records, field surveying, documents, and record maps
- Plat and Legal Descriptions

This resolution will authorize the City Manager to execute Amendment No. 1 to the Agreement (Contract No. 173-21 22-060) with Bender Rosenthal, Inc. for Right of Way Services for the Natoma Alley Rehabilitation and Replacement Project. Amendment No. 1 will be in the amount of \$37,380 and the new contract amount, including Amendment No. 1 is \$94,260.

FINANCIAL IMPACT

The Natoma Alley Rehabilitation and Replacement Project was included in the FY 2022-23 Capital Improvement Plan with a total project budget of \$4,990,000. Staff is now projecting the total project costs to be approximately \$5,145,000. With this new projection of costs an additional appropriation will be needed. Staff is requesting an appropriation of \$155,000 for the total project budget of \$5,145,000. This appropriation will be in the Sewer Operating Fund (Fund 530) and funds are available for this appropriation. Sufficient funds are available in the Wastewater Operating Fund (Fund 530) for this amendment.

ENVIRONMENTAL REVIEW

This project is replacement and/or improvement of existing infrastructure with negligible or no expansion of use and therefore is categorically exempt from environmental review under the California Environmental Quality Act as noted in Title 14 – California Code of Regulations, Chapter 3 – Guidelines for Implementation of the California Environmental Quality Act, Article 19 – Categorical Exemptions, Sections 15301 (Existing Facilities), 15302 (Replacement or Reconstruction), and/or 15304 (Minor Alterations to Land).

ATTACHMENT

Resolution No. 10958 – A Resolution Authorizing the City Manager to Execute Amendment No. 1 to the Agreement (Contract No. 173-21 22-060) with Bender Rosenthal, Inc. for Right of Way Services for the Natoma Alley Rehabilitation and Replacement Project and Appropriation of Funds.

Submitted,

Marcus Yasutake, Director
ENVIRONMENTAL AND WATER RESOURCES DEPARTMENT

RESOLUTION NO. 10958

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT (CONTRACT NO. 173-21 22-060) WITH BENDER ROSENTHAL, INC. FOR RIGHT OF WAY SERVICES FOR THE NATOMA ALLEY REHABILITATION AND REPLACEMENT PROJECT AND APPROPRIATION OF FUNDS

WHEREAS, the City is currently implementing its Sewer System Management Plan (SSMP) which consists of condition assessment, as well as operation and system improvements; and

WHEREAS, the City has identified this project as a priority to maintain integrity and operation of the sanitary sewer collection system; and

WHEREAS, the project is categorically exempt from environmental review under the California Environmental Quality Act; and

WHEREAS, Bender Rosenthal, Inc. by reason of their past experience and abilities for performing these types of services, are qualified to perform the required right of way services for the project; and

WHEREAS, the Natoma Alley Rehabilitation and Replacement Project was included in the FY 2022-23 Capital Improvement Plan; and

WHEREAS, an additional appropriation will be required in the amount of \$155,000; and

WHEREAS, sufficient funds are available in the Wastewater Operating Fund (Fund 530) for the appropriation; and

WHEREAS, the agreement will be in a form acceptable to the City Attorney:

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Folsom authorizes the City Manager to execute Amendment No. 1 to the Agreement (Contract No. 173-21 22-060) with Bender Rosenthal, Inc. for Right of Way Services for the Natoma Alley Rehabilitation and Replacement Project for a not-to-exceed amount of \$37,380 increasing the total contract not-to-exceed amount to \$94,260;

BE IT FURTHER RESOLVED that the Finance Director is authorized to appropriate \$155,00 in the Wastewater Operating (Fund 530) from available fund balance.

PASSED AND ADOPTED this 13th day of December, 2022, by the following roll-call vote:

AYES: Councilmember(s):
NOES: Councilmember(s):
ABSENT: Councilmember(s):
ABSTAIN: Councilmember(s):

MAYOR

ATTEST:

Christa Freemantle, CITY CLERK

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CITY OF
FOLSOM
DISTINCTIVE BY NATURE