



September 23, 2025

Honorable Mayor and Council Members:

Author and title: Scott Mathot, Engineering Manager, and Blake Kloczl, Engineering Technician II

Title: **Emergency Contract Work Authorization for Removal of Decomposed Granite from the Truckee River Legacy Trail**

Jennifer Callaway, Town Manager

Recommended Action: Council to:

- 1) Amend the existing Riverview Sports Park Trail Connection Project, C2318, budget to increase the CIP budget by \$166,626 for a total FY25/26 CIP budget of \$1,187,624.08.
- 2) Approve a \$138,855 contract change order on the Riverview Sports Park Trail Connection Project, C2318, construction contract with Ruppert, Inc. for the inclusion of emergency trail work.
- 3) Approve a 20% contingency amount of \$27,771 for a total emergency trail work expenditure not to exceed \$166,626.
- 4) Authorize the Town Engineer to approve additional change order work within the contingency amount.

Discussion:

In 2024, the Town's 2024 Trail Maintenance Project (C2418) performed routine maintenance on portions of the Truckee River Legacy Trail by constructing an asphalt concrete overlay. As part of the project, typical shoulder backing (decomposed granite, "DG") was placed by the contractor (Sierra Nevada Construction, Inc.) to provide the final edge treatment along approximately 2 miles of the trail (limits of work depicted in **Attachment A**). Town projects that have constructed and/or maintained trails have utilized various material types for shoulder backing trail edges depending on application location, slopes, drainage, user needs, stormwater treatment, and other factors. Some of those material types include decomposed granite, compacted aggregate base course, and drain rock.

The DG material used along the 2-mile section of the Legacy Trail has not provided a compacted surface and tends to migrate from the shoulders onto the paved trail surface. Town staff has received service requests and generally unfavorable feedback from the community regarding the trail shoulder conditions since the DG was installed in 2024. Loose aggregate spreading onto the trail surface, with soft shoulder material, has generated concerns by trail users and migration of the shouldering material has created additional and ongoing work tasks for Town Facilities crews. Despite frequent sweeping efforts by Town Facilities staff, the DG continues to mobilize and create undesired conditions for trail users, while also creating drainage and stormwater regulation compliance challenges along the sides of the trail.

The current condition of the DG shoulder creates a threat to public health and safety, as well as potential environmental concerns, constituting an emergency for the Town to act upon. To immediately and adequately mitigate the emergency, the Town of Truckee Engineering Division, in coordination with the Town Manager and Town Attorney, utilized an emergency exception to the public bid process by obtaining a cost to perform reconstruction work of the trail shoulders directly with Ruppert, Inc. (Town's Contractor for the Riverview Sports Park Trail Connection Project) as a designated source. Staff are seeking approval from Town Council to approve procurement of a designated source (Ruppert, Inc.) to

perform emergency work as required by Section 4 and Section 9 of the Town of Truckee Purchasing Rules and Regulations, which states:

Section 4

Council approval must be obtained prior to the purchase except in cases of Town Manager approved emergency, for which the Council approval can be obtained afterward.

Section 9

Certain exceptions to competitive bidding are allowed. Those include:

- *...Emergencies*
 - *An emergency is defined as resulting from a circumstance or the occurrence of a disaster, including, but not limited to fire, flood, snowstorm, power outage or disease or a situation which may lead to the impairment of the health, safety or welfare of the public if not immediately attended to. This may also include repairs to roads, building, drainage, infrastructure, bridges, parking lots, and any other Town maintained assets that are required due to a circumstance to maintain public safety.*
 - *The Town Manager has the sole authority to approve an emergency bidding exception.*

Case for Emergency:

The condition of the existing DG shoulders presents two primary risks to public health and safety:

1. Potential Trail Hazard
 - The existing DG continues to migrate onto the trail surface. Loose aggregate on the trail surface may reduce traction and introduces obstacles for trail users. This loose aggregate is especially impactful to narrow and small-wheel user equipment, such as skateboards, roller skates, and road bicycles, for which the aggregate may act as an impediment to the small/narrow wheels. Loose DG on the trail surface has the potential to contribute to falls and crashes by trail users.
 - The DG shoulder currently acts similarly to beach sand, where bike tires and shoes sink into the shoulder and cause it to become an unstable surface, impacting accessibility and maneuverability.
2. Threat to Environmental and Stormwater Quality due to the migration of sediment away from improvement areas.

These risks to public health and safety constitute an emergency that the Town should address immediately. A delayed response will not only prolong the presence of a potential hazard and access impedance, but it will increase the likelihood that an erosion issue occurs, particularly over the upcoming wet season.

Proposed Solution:

The Town is currently contracted with Ruppert, Inc. for the Riverview Sports Park Trail Connection Project (C2318) construction, and Ruppert, Inc. provided a cost estimate for the DG work totaling \$138,855 (**Attachment B**, "Ruppert Cost Estimate"). Staff obtained a second quote from another Town Contractor, which was approximately \$250,000, nearly twice the cost of Ruppert's quote. As part of the emergency work, Ruppert would remove the existing DG and replace it with the Town's typical Aggregate Base shoulder as used on the Riverview Sports Park Trail Connection Project. This cost appears to be a fair and competitive price for the scope of work based on comparison of contractors performing other shoulder backing work in recent years. Ruppert, Inc. is available to initiate and complete this emergency work in October/November 2025. In addition, staff recommend authorizing a contingency on the emergency work in the amount of \$27,771 that can be utilized by the Town Engineer to approve an

additional change order work related to the emergency work. The Engineering Division recommends contracting with Ruppert, Inc., to perform the emergency work through a contract change order.

Pursuant to Section 9 of the Town of Truckee Purchasing Rules and Regulations, the Town Manager is permitted to approve a contract change order with Ruppert, Inc. to perform the emergency repairs. However, due to the availability of Ruppert to start work in October and the timing of this Council meeting, Engineering staff is seeking approval from Town Council to authorize procurement of a designated source to perform the emergency work prior to the Town Manager authorizing the contract change order.

Priority:

<input type="checkbox"/>	Enhanced Communication	<input checked="" type="checkbox"/>	Climate and Greenhouse Gas Reduction	<input type="checkbox"/>	Housing
<input checked="" type="checkbox"/>	Infrastructure Investment	<input checked="" type="checkbox"/>	Emergency and Wildfire Preparedness	<input type="checkbox"/>	Core Service

Fiscal

Impact:

On June 24, 2025, Council awarded the Riverview Sports Park Trail Connection Project’s construction contract to Ruppert, Inc. in the amount of \$732,060 and authorized a \$73,206 contingency amount for a total authorized construction contract expenditure amount of \$805,266. The adopted project budget also includes expenditures for design and permitting, construction management services, inspection services, materials testing services, and Staff time related to construction administration for a total CIP budget amount \$1,020,998.08. The additional work proposed in this staff report was not included in the original scope of the contract, and the estimated total cost of this work is \$166,626 (as summarized in the table below), which exceeds the previously approved contingency amount for the construction contract with Ruppert, Inc.

Therefore, staff recommends that Council authorize amending the adopted FY25/26 project budget and increasing the contingency amount for the construction contract by \$166,626 (in addition to the currently-approved \$73,206 contingency) for a total authorized construction contract expenditure amount of \$971,825. The additional \$166,626 is reflected in the proposed amended FY25/26 budget table below and would be funded utilizing Measure R/U Tax Funds. There are adequate funds in the Measure R/U fund balance to fund the proposed change order.

Riverview Sports Park Trail Connection Project (C2318) Proposed Amended FY 25/26 Budget

Funding Source	Adopted FY 25/26 (Amended June 24, 2025)	Proposed Amended FY 25/26	Proposed Change
Measure V Tax Fund	\$145,000	\$145,000	--
Measure R/U Tax Fund	\$280,416.28	\$447,024.28	+\$166,626
Recreational Trails Program Grant	\$595,581.80	\$595,581.80	--
Total	\$1,020,998.08	\$1,187,624.08	+\$166,626
Expenditures	Adopted FY 25/25 (Amended June 24, 2025)	Proposed Amended FY 25/26	Proposed Change
Design and Permitting	\$83,761	\$83,761	--
Construction	\$937,237.08	\$1,103,863.08	+\$166,626
Total	\$1,020,998.08	\$1,187,624.08	+\$166,626

Public

Communication:

The work will require closure of the trail during active construction, but staff are working with Ruppert to determine whether a delayed start or early end could be accommodated to decrease the impacts to bicyclists that use the trail to go to or from work or school.

Attachments:

Attachment A – Legacy Trail DG Removal Limits

Attachment B – Ruppert Cost Estimate