



## Legislation Details (With Text)

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**Title:** Actions pertaining to North Avenue sewer trunk main realignment (Bid File 3699) (Council Districts 3 and 5):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15302(c) and 15303 of the California Environmental Quality Act Guidelines
2. Award a construction contract to Emmett's Excavation, Inc., of Clovis, California, in the amount of \$6,372,238

**Sponsors:** Department of Public Utilities

**Indexes:**

**Code sections:**

**Attachments:** 1. Attachment 1 - Bid Evaluation and Fiscal Impact Statement.pdf, 2. Attachment 2 - Sample Contract.pdf, 3. Attachment 3 - Vicinity Map.pdf

Date	Ver.	Action By	Action	Result
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## REPORT TO THE CITY COUNCIL

**November 4, 2021**

**FROM:** MICHAEL CARBAJAL, Director  
Department of Public Utilities

**BY:** BROCK D. BUCHE, PE, PLS, Assistant Director  
Department of Public Utilities - Utilities Planning & Engineering

## SUBJECT

Actions pertaining to North Avenue sewer trunk main realignment (Bid File 3699) (Council Districts 3 and 5):

1. Adopt a finding of Categorical Exemption pursuant to Sections 15302(c) and 15303 of the California Environmental Quality Act Guidelines
2. Award a construction contract to Emmett's Excavation, Inc., of Clovis, California, in the amount of \$6,372,238

## RECOMMENDATIONS

Staff recommends that City Council adopt a finding of Categorical Exemption pursuant to Sections

15302 and 15303 of the California Environmental Quality Act (CEQA) Guidelines for the North Avenue sewer trunk main realignment (Project); award a construction contract for the Project to Emmett's Excavation, Inc., in the amount of \$6,372,238; and authorize the Director of Public Utilities, or designee, to sign and execute all documents on behalf of the City of Fresno (City).

## **EXECUTIVE SUMMARY**

Structural instability of the existing sewer pipe requires the main be replaced. The discovery of a sink hole by Fresno Irrigation District staff, was determined to be the result of the failure of a section of the large diameter sewer main. Closed-Circuit Television (CCTV) inspection found the condition of this section of sewer trunk main to be structurally deficient and unable to support a point repair. This section of the sewer trunk main must be replaced in a new alignment to divert flows away from the existing sewer pipe which has deteriorated from hydrogen sulfide gas corrosion. The Department of Public Utilities (DPU), Wastewater Management Division (WMD), is seeking to award a construction contract for the Project to Emmett's Excavation, Inc., in the amount of \$6,372,238.

## **BACKGROUND**

The existing sewer trunk main in North Avenue conveys an average of 11.5 million gallons of wastewater per day to the Fresno-Clovis Regional Wastewater Reclamation Facility. This sewer trunk main experienced a localized structural collapse in North Avenue between Maple Avenue and the Burlington Northern Santa Fe Railway and the Union Pacific Railroad. During a routine inspection of a nearby irrigation canal, the Fresno Irrigation District discovered a large sinkhole on their property. Upon further inspection by the DPU-WMD it was discovered that the 57-inch diameter North Avenue sewer main suffered a structural failure due to the complete corrosion of the crown of the sewer trunk main from hydrogen sulfide gas.

Attempts were made to expose a section of main to assess the condition of the rest of the pipe, which caused further erosion of the crown of the pipe. Due to the severe lack of structural integrity of the sewer main, it was determined that rehabilitation of the pipe was not an option. An emergency, temporary, solution was taken to stabilize the point of failure and the surrounding area to allow time to contract an engineering consultant to design a viable solution for this section of sewer main.

The Statewide General Waste Discharge Regulations Order No. 2006-0003-DWQ (c), requires rehabilitation and replacement of sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. The severity of the condition of the North Avenue sewer trunk main calls for its immediate replacement.

Following preparation of Project plans and specifications, a Notice Inviting Bids was published on August 11, 2021, and posted on the City's Planet Bids website. The plans and specifications were distributed to forty prospective bidders and posted at thirteen Building Exchanges. Three sealed bid proposals were received and publicly opened on September 21, 2021. The bid proposals ranged from \$6,372,238 to \$6,880,413 with Emmett's Excavation, Inc., determined to be the lowest responsive and responsible bidder, with the bid amount of \$6,372,238. The bid will expire within 64 days of bid opening, on November 24, 2021.

The staff determination was posted on the City's Planet Bids website on Friday, October 15, 2021. Staff recommends that City Council award a construction contract to Emmett's Excavation, Inc., in the amount of \$6,372,238, as the lowest responsive and responsible bidder. Their bid price is 38.5%

above the Engineer's Estimate of \$4,600,000. A detailed review of the bids items show steel casing pipe, polymer mortar pipe, and heavy construction - steel and concrete structures, exceeded anticipated costs. These higher than anticipated costs, however, have been seen in similar recent bid projects.

## **ENVIRONMENTAL FINDINGS**

Staff has performed a preliminary environmental assessment of this Project and has determined it falls within the Categorical Exemption for existing facilities set forth in Section 15302(c)/Class 2 (Replacement or Reconstruction). CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. This approval will involve construction of 352 linear feet of sewer pipeline which will replace a damaged section of the existing pipeline and replace the existing failing diversion structure with a new one. The replacement sewer trunk will be constructed in the same local site on an alignment offset and parallel to the existing trunk. This replacement will result in negligible expansion of capacity. Therefore, it is categorically exempt pursuant to CEQA Guidelines 15302(c). Section 15303/Class 3 (New Construction or Conversion of Small Facilities) of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This approval involving the construction of 352 linear feet of sewer pipeline, diversion structures, and replacement of street asphalt due to the trenching, categorically exempts the project from CEQA Guidelines. Furthermore, staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this Project. Therefore, the necessary environmental review required by the CEQA has been completed for the sewer trunk main replacement as contemplated by the award of this contract.

## **LOCAL PREFERENCE**

The lowest responsive and responsible bidder is a local business pursuant to the Fresno Municipal Code Section 4-108(a). Emmett's Excavation is located within a 25 mile radius of Fresno City Hall.

## **FISCAL IMPACT**

There is no impact to the General Fund. The Project is located in the Council Districts 3 and 5. Funding for this Project is included in the Fiscal Year 2022 capital improvement budget within the Wastewater Management Division's Sewer Enterprise Fund 40501.

### **Attachments:**

Attachment 1 - Bid Evaluation and Fiscal Impact Statement

Attachment 2 - Sample Contract

Attachment 3 - Vicinity Map