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Title: Actions pertaining to the Van Ness Avenue Water Transmission Grid Main Project (Council District 3):
1. Adopt a Mitigated Negative Declaration pursuant to the California Environmental Quality Act pertaining to the construction of a new 16-inch water transmission grid main in Van Ness Avenue between Divisadero and Merced Streets, State Clearinghouse No. 2022020073
2. Approve the Third Amendment to the consultant services agreement with Blair, Church & Flynn Consulting Engineers, Inc., to expand scope of services and increase the contract amount by \$39,820, for an amended total not to exceed the amount of \$326,968

Sponsors: Department of Public Utilities

Indexes:

Code sections:

Attachments: 1. Attachment 1 – Mitigated Negative Declaration, Including Initial Study.pdf, 2. Attachment 2 – Amendment No. 3 to the Consultant Services Agreement - BCF.pdf

Date	Ver.	Action By	Action	Result
4/28/2022	1	City Council	APPROVED ON CONSENT CALENDAR	

REPORT TO THE CITY COUNCIL

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SUBJECT

Actions pertaining to the Van Ness Avenue Water Transmission Grid Main Project (Council District 3):

1. Adopt a Mitigated Negative Declaration pursuant to the California Environmental Quality Act pertaining to the construction of a new 16-inch water transmission grid main in Van Ness Avenue between Divisadero and Merced Streets, State Clearinghouse No. 2022020073
2. Approve the Third Amendment to the consultant services agreement with Blair, Church & Flynn Consulting Engineers, Inc., to expand scope of services and increase the contract amount by \$39,820, for an amended total not to exceed the amount of \$326,968

RECOMMENDATION

Staff recommends that the City Council:

1. Adopt a Mitigated Negative Declaration (MND) pursuant to the California Environmental Quality Act pertaining to the construction of a new 16-inch water transmission grid main in Van Ness Avenue between Divisadero and Merced Streets, State Clearinghouse No. 2022020073
2. Approve the Third Amendment to the consultant services agreement (Agreement) with Blair, Church & Flynn Consulting Engineers, Inc., (Consultant), to expand engineering services to include soil sampling and preparation of a soils management plan and increase the contract amount by \$39,820, for an amended total not to exceed the amount of \$326,968
3. Authorize the Director of Public Utilities, or designee, to sign the Third Amendment on behalf of the City of Fresno (City).

EXECUTIVE SUMMARY

The Department of Public Utilities - Water Division has numerous small water mains in the older downtown area that are substandard for today's maximum day demands, peak hour demands, and maximum day plus fire flow conditions. The Water Division seeks to replace smaller local water mains with a larger water transmission main in Van Ness Avenue, between Divisadero and Merced Streets, to provide improved levels of service in the area. Adoption of the MND provides mitigation measures related to potential Project environmental factors and impacts. Due to historic Project area land uses, and as identified in the MND, implementation of a soil sampling and soil management plan is necessary prior to construction. Council action for adoption of the Project MND and approval of the Third Amendment to the consultant services agreement expand engineering services for completion of necessary soil sampling and soil management plan mitigation measures that will aid in meeting aggressive construction timelines.

BACKGROUND

Within the City's downtown area, numerous small water mains are now substandard in meeting today's maximum day demands, peak hour demands, and maximum day plus fire flow conditions. This Project seeks to replace and transfer smaller local water mains to provide improved levels of service in the area.

The Project will be constructed in two phases along Van Ness Avenue. Phase I is from Divisadero to Calaveras Street. Phase II will be from Calaveras Street to Merced Street. The City intends to transfer to the new transmission grid main (TGM), those water services currently connected to the existing pipeline in the alleys behind the parcels located between Fulton Street, L Street, and Van Ness Avenue. Should all services be transferred, the water mains in the alleys will be abandoned in place.

On August 19, 2021, the City entered into an agreement with Consultant to provide the development of the Project MND including design and construction documents for the TGM, for a total fee of \$257,700, and a \$30,000 contingency.

On November 17, 2021, the First Amendment to Agreement used contingency funds, increasing the original contract amount by \$10,527 for a total fee of \$268,227. The amendment included expanded engineering services for performing an underground utilities evaluation.

On March 18, 2022, the Second Amendment to Agreement used contingency funds, increasing the

original contract amount by \$18,921 for a total fee of \$287,148. The amendment included expanded engineering services for additional meetings and preparation of an Indirect Source Review (ISR) for the San Joaquin Valley Air Pollution Control District (SJVAPCD).

As design of the new TGM progressed, environmental factors associated with past land use were identified in the MND which need to be explored prior to construction. This includes collecting sampling soils along the alignment of the new TGM and development of a soils management plan if sample results are found to pose hazardous conditions during construction within the Project area.

This Third Amendment to Agreement will increase the total compensation for the Project from \$287,148 to \$326,968, using the remaining contingency of \$552 and an additional amount of \$39,268, to complete the Soil Sampling and preparation of a Soils Management Plan.

Subsequent to adoption of the Project MND, staff will return to Council for award of a construction contract.

The Third Amendment has been approved to form by the City Attorney's Office.

ENVIRONMENTAL FINDINGS

This Project MND document has been prepared to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.) and the State CEQA Guidelines (14 California Code of Regulations [CCR] 15000 et seq.).

As the project MND has identified those conditions that may pose potential significant effects, feasible measures or alternatives have been incorporated to mitigate the effects to a point where no significant effects will occur. The project specific mitigation measures included in the project are set forth in the attached Initial Study, which is incorporated into this Mitigated Negative Declaration. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have significant direct, indirect, or cumulative effects on the environment (CEQA Guidelines sections 15071 (e) and 15369.5).

Therefore, based on the attached environmental assessment and the list of identified mitigation measures, staff has determined that project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Guidelines, Sections 15071 (e) and 15369.5. A public Negative Declaration (MND) was published on March 9, 2022, with no comments received within the 30-day comment period.

LOCAL PREFERENCE

Local preference does not apply to this action because this is an amendment to an existing agreement.

FISCAL IMPACT

There is no impact to the General Fund. The Project is funded in the Water Division's five-year Capital Improvement Program budget within the Water Enterprise Fund 40202, WC00085.

Attachments:

Attachment 1 - Mitigated Negative Declaration, Including Initial Study

Attachment 2 - Third Amendment to the Consultant Services Agreement