



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

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### **REPORT TO COUNCIL**

#### **SUBJECT**

Award of Contract for Professional Design Services Associated with the Rehabilitation of Storm Drain Outfall (F18-179)

#### **REPORT IN BRIEF**

Approval is requested to award a contract to BKF Engineers of Redwood City, in an amount not to exceed \$170, 427 (\$150,125 for professional design services and \$20,302 for optional services, including biological construction monitoring and attendance of meetings and hearings), associated with the Rehabilitation of Storm Drain Outfall into Stevens Creek at Remington Court. Approval is also requested for a 15% design contingency in the amount of \$25,564.

#### **EXISTING POLICY**

Pursuant to Section 2.08.040 of the Sunnyvale Municipal Code, City Council approval is required for the procurement of goods and/or services exceeding \$100,000 in any one transaction. Consistent with Section 2.08.070(14) of the Municipal Code, where competitive bids or proposals have been solicited and no bid or proposal has been received, the city manager may proceed to have the services performed or the goods procured without further competitive bidding.

#### **ENVIRONMENTAL REVIEW**

The award is for the design phase of the project and is not a project with the meaning of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15378(a) as it has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. Typically, rehabilitation of existing facilities at the same location with the same purpose and capacity is exempt from CEQA pursuant to CEQA Guidelines Section 15302.

In March 2017, Public Works staff hired Redtail Consulting, an environmental specialist to perform a site visit and a search of the California Natural Diversity Database (CNDDB) for the project. The result of the search shows that the central California coast steelhead, which is federally listed as threatened, is known to be present in Stevens Creek, which is within the project site.

Pursuant to CEQA Guidelines Section 15300.2[b] if critical habitat is of concern within the project site, CEQA review will be required. An initial study and mitigated negative declaration (IS/MND) will be appropriate and will be conducted by the subconsultant retained under the contract.

#### **BACKGROUND AND DISCUSSION**

The City has capital funding for the repair, replacement, and rehabilitation of storm drain pipes. It additionally provides for repair, replacement, or rehabilitation of associated storm water conveyance

components that include: storm drain outfalls, manholes, catch basins, and drain inlets.

The Rehabilitation of Storm Drain project intends to rehabilitate the storm drain outfall structure located in the Stevens Creek channel. The project site is west of the Remington Drive and Remington Court intersection. Several sections of the existing 60" corrugated metal pipe, including a flap gate, have separated from the storm pipe exiting the creek embankment. The creek bank surrounding the outfall structure and the protective cement sack riprap (material used to armor shorelines, streambeds, bridge abutments, pilings and other shoreline structures against scour and water or ice erosion) has been undermined. The rehabilitation is necessary to assure storm water conveyance and mitigate system failure. Repair alternatives will be identified by the qualified consultant.

A Request for Proposal (RFP) process was utilized to solicit proposals from qualified engineering design firms. The RFP specifications were prepared by Public Works and Purchasing staff. The RFP was directly distributed to 10 Bay Area design firms and posted on the DemandStar public procurement network. Proposals were due on January 25, 2018 and no proposals were received. After consulting with Purchasing, Public Works contacted two qualified consultants, BKF Engineers and MNS Engineers, to request proposals demonstrating qualifications, experience, and staffing. Both firms submitted proposals by the date of March 1, 2018. The review panel from the Environmental Services Department and Public Works Department reviewed the proposals. Staff selected BKF Engineers based on their experience and project approach. Staff also reviewed their cost proposals and BKF Engineers presented the lowest cost for completing base services.

Due to the project's proximity and potential impact within the channel, contingency in the amount of 15% is requested to cover any unforeseen permitting or environmental review.

### **FISCAL IMPACT**

Project costs are as follows:

Project Design (including bid and construction report)	\$150,125
Optional Services	\$20,302
Contingency (15%)	<u>\$25,564</u>
Total Cost	\$195,991

### **Funding Source**

This project is funded by the General Fund. Budgeted funding is available in Capital Project 825362.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

### **RECOMMENDATION**

1) Award a contract to BKF Engineers of Redwood City in the amount not to exceed \$170,427 for professional design services associated with the Rehabilitation of Storm Drain Outfall into Stevens Creek at Remington Court in substantially the same form as Attachment 1 to the report, and authorize the City Manager to execute the contract when all necessary conditions have been met;

and 2) approve a 15% contingency in the amount of \$25,564.

Prepared by: Gregory S. Card, Purchasing Officer  
Reviewed by: Timothy J. Kirby, Director of Finance  
Reviewed by: Chip Taylor, Director of Public Works  
Reviewed by: Teri Silva, Assistant City Manager  
Approved by: Kent Steffens, City Manager

**ATTACHMENTS**

1. Draft Consultant Services Agreement