



● **Board of Directors**
Engineering and Operations Committee

3/8/2022 Board Meeting

7-3

Subject

Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program Environmental Impact Report and related CEQA actions; and award \$677,898 contract to Jeremy Harris Construction, Inc. to construct erosion control improvements for three sites in the Western San Bernardino County region

Executive Summary

Many of Metropolitan's distribution system facilities are located in undeveloped areas and are only accessible via unpaved patrol roads that are subject to erosion. Patrol roads damaged by erosion hinder access for inspection and make maintenance of pipelines and equipment difficult. Erosion damage can also expose pipelines, undermine Metropolitan structures, and potentially result in an unplanned shutdown to perform pipeline repairs. Construction of erosion-control improvements reduces the risk of progressive damage over multiple winter seasons, and reduces the need for staff to conduct unplanned repairs following storm events. This action awards a contract for construction of erosion-control features at three sites within the Western San Bernardino County region of Metropolitan's distribution system.

Details

Background

Metropolitan's distribution system consists of more than 830 miles of large-diameter pipelines and over 5,400 individual structures. Many of the pipelines and structures are located in remote or undeveloped areas and are only accessible by unimproved dirt patrol roads. These roads are susceptible to erosion from uncontrolled stormwater runoff. In addition, some of the structures are located in areas of dense vegetation, where obtaining permits to perform routine vegetation clearing can be overly burdensome. In other areas, development has surrounded the facilities and created barriers to access Metropolitan's right of way. The Right-of-Way and Infrastructure Protection Program (RWIPP) was created to address these situations.

The objectives of RWIPP are to: (1) identify and address right-of-way issues and areas that are susceptible to surface erosion; (2) prepare environmental documentation and acquire regional programmatic environmental permits to enable rehabilitation and maintenance activities to proceed without delay; (3) obtain additional right-of-way as needed; and (4) execute the needed rehabilitation activities.

During the initial assessment stage of the RWIPP, staff identified approximately 924 locations requiring surface improvements and approximately 420 areas with right-of-way or access issues. Major rehabilitation and acquisition of right of way under RWIPP will move forward as capital projects within Metropolitan's Capital Investment Plan (CIP), while minor repairs will be handled as operations and maintenance activities.

Implementation of projects under RWIPP has been grouped by operating region: Orange County, Western San Bernardino County, Los Angeles County, and Riverside/San Diego County. Final design of infrastructure improvements is underway for all four operating regions. The Colorado River Aqueduct operating region will be addressed separately in the future. The program's first construction contract was located in the Orange County region and was completed in 2021.

Construction of improvements under RWIPP will also be completed in stages. Staff has grouped and prioritized sites and staged construction projects depending on the project requirements. Final design of improvements for three sites in the Western San Bernardino County region has been completed, and staff recommends proceeding with construction at this time. The remaining project sites will be advertised under future contracts. Staff will return to the Board to award these contracts at a later date.

In accordance with the April 2020 action on the biennial budget for Fiscal Years 2020/21 and 2021/22, the General Manager will authorize staff to proceed with infrastructure protection improvements, pending board award of the contract described below. Based on the current CIP expenditure forecast, funds for the work to be performed pursuant to this action during the current biennium are available within the Capital Investment Plan Appropriation for Fiscal Years 2020/21 and 2021/22 (Appropriation No. 15517). Funds required for work to be performed pursuant to the subject contract after fiscal year 2021/22 will be budgeted within the Capital Investment Plan Appropriation for Fiscal Years 2022/23 and 2023/24. This project has been reviewed in accordance with Metropolitan's CIP prioritization criteria and was approved by Metropolitan's CIP Evaluation Team to be included in the Distribution System Reliability Program.

Western San Bernardino Operating Region Stage 1 – Construction

The scope of the construction contract includes rehabilitation of erosion-related damage to access roads and other surface facilities and improvements to prevent further erosion at three sites within the Western San Bernardino County region. The work consists of construction of erosion-control features to protect critical infrastructure that includes concrete culverts, grading to divert stormwater away from pipeline structures, and roadway improvements to facilitate access and protect existing infrastructure. These construction sites are all located along the Inland Feeder with two in the Highland area and one near Redlands.

A total of \$990,000 is required for this work. In addition to the amount of the contract described below, other funds to be allocated include \$99,000 for construction inspection; \$98,000 for submittal review, technical support during construction, responding to requests for information, and preparation of record drawings; \$88,000 for contract administration, environmental monitoring, and project management; and \$27,102 for remaining budget.

Attachment 1 provides the allocation of the required funds. The total estimated cost to complete the Right-of-Way and Infrastructure Protection Program – Western San Bernardino Region Stage 1 improvements, including the amount allocated to date and funds allocated for the work described in this action, is approximately \$1.365 million. Approximately \$375,000 has been expended on this project to date.

Award of Construction Contract (Jeremy Harris Construction, Inc.)

Specification No. 1822 for the Right-of-Way and Infrastructure Protection Program – Western San Bernardino Region Stage 1 improvements was advertised for bids on December 16, 2021. As shown in **Attachment 2**, four bids were received and opened on February 1, 2022. The low bid from Jeremy Harris Construction, Inc. in the amount of \$677,898 complies with the requirements of the specifications. The other bids ranged from \$678,398 to \$995,971, while the engineer's estimate for this project was \$793,440. For this contract, Metropolitan established a Small Business Enterprise participation level of at least 25 percent of the bid amount. Jeremy Harris Construction, Inc. is a Small Business Enterprise firm, and thus achieves 100 percent participation. The subcontractors for this contract are listed in **Attachment 3**.

Metropolitan staff will perform construction management and inspection. Engineering Services' performance metric target range for inspection of projects with construction less than \$3 million is 12 to 15 percent. For this project, the performance metric goal for inspection is 14.6 percent of the total construction cost.

Alternatives Considered

Staff initially considered individually designing, permitting, and constructing each project site. This approach was determined to be very time-consuming and would lead to increased costs as there would be limited opportunities for efficiencies attributed to increased project sizing. Adopting a comprehensive staged approach for the needed improvements will consolidate design and permitting efforts and will allow staff to more efficiently execute the overall program. This comprehensive approach will also enable programmatic EIRs and regional permit applications to be prepared, an approach that will also enhance the efficient implementation of the program. It is anticipated that this approach will produce significant cost savings versus an alternative approach

based on handling each project on an individual basis. The results of these analyses comprise the recommended approach, as described in this board letter.

Summary

This action awards a \$677,898 construction contract to Jeremy Harris Construction, Inc. for Right-of-Way and Infrastructure Protection Program – Western San Bernardino Region Stage 1 improvements. This project has been evaluated and recommended by Metropolitan’s CIP Evaluation Team, and funds are available within the fiscal year 2020/21 capital expenditure plan. See **Attachment 1** for the Allocation of Funds, **Attachment 2** for the Abstract of Bids, **Attachment 3** for the listing of Subcontractors for Low Bidder, and **Attachment 4** for the Location Map.

Project Milestone

December 2022 – Completion of construction of the Western San Bernardino Region Stage 1 improvements

Policy

Metropolitan Water District Administrative Code Section 5108: Appropriations

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

By Minute Item 49475, dated July 09, 2013, the Board authorized final design for right-of-way planning for access improvements and pipeline protection with western San Bernardino County operating region.

By Minute Item 51963, dated April 14, 2020, the Board appropriated a total of \$500 million for projects identified in the Capital Investment Plan for Fiscal Years 2020/21 and 2021/22.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The environmental effects from the design, construction, and operation of the RWIPP within the Western San Bernardino Operating Region were evaluated in the Final Program Environmental Impact Report (EIR) for the Western San Bernardino Distribution System Infrastructure Protection Program, SCH #2014111071, which was certified by the Board on October 13, 2020. The Board also approved the Findings of Fact (Findings), the Mitigation Monitoring and Reporting Program, and the Program itself. This action is in support of Stage 1 improvements within the Western San Bernardino Operating Region and not on any changes to the approved Program itself. Hence, the previous environmental documentation acted on by the Board in conjunction with the proposed action fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further CEQA documentation is necessary for the Board to act on the proposed action.

CEQA determination for Option #2:

None required

Board Options

Option #1

- a. Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program EIR and related CEQA actions, and
- b. Award \$677,898 contract to Jeremy Harris Construction, Inc. for Stage 1 Right-of-Way and Infrastructure Protection improvements in Western San Bernardino region of Metropolitan’s distribution system.

Fiscal Impact: Expenditure of \$990,00 in capital funds. Approximately \$150,000 will be incurred in the current biennium and has been previously authorized. The remaining capital expenditures will be funded from future CIP budgets following board approval of those budgets

Business Analysis: This project will enable Metropolitan to maintain and protect existing surface and underground infrastructure, patrol roads, and right of way, thereby enhancing reliability of the distribution system.

Option #2

Do not proceed with the project at this time.

Fiscal Impact: None

Business Analysis: This option would forgo an opportunity to reduce the risk of costly unplanned repairs. Under this option, Metropolitan would continue to address these issues on an individual, case-by-case basis and would incur additional costs.

Staff Recommendation

Option 1

 _____ John V. Bednarski Manager/Chief Engineer Engineering Services	2/14/2022 _____ Date
 _____ Adel Hagekhalil General Manager	2/17/2022 _____ Date

Attachment 1 – Allocation of Funds

Attachment 2 – Abstract of Bids

Attachment 3 – List of Subcontractors for Low Bidder

Attachment 4 – Location Map

Ref# es12688569

Allocation of Funds for the Right-of-Way Infrastructure Protection Program – Western San Bernardino – Stage 1 Improvements

	Current Board Action (Mar. 2022)
Labor	
Studies & Investigations	\$ -
Final Design	-
Owner Costs (Program mgmt., envir. monitoring)	88,000
Submittals Review & Record Drwgs.	98,000
Construction Inspection & Support	99,000
Metropolitan Force Construction	-
Materials & Supplies	-
Incidental Expenses	-
Professional/Technical Services	-
Right-of-Way	-
Equipment Use	-
Contracts	-
Jeremy Harris Construction, Inc.	677,898
Remaining Budget	27,102
Total	\$ 990,000

The total amount expended to date is approximately \$375,000. The total estimated cost to complete this project, including the amount appropriated to date and funds allocated for the work described in this action, is \$1.365 million.

The Metropolitan Water District of Southern California**Abstract of Bids Received on February 1, 2022, at 2:00 P.M.****Specifications No. 1822****Right-of-Way Infrastructure Protection Program – Western San Bernardino Region Stage 1**

The project consists of removing and installing fencing and gates; placing fill material and site grading; constructing access improvements, curbs and gutters, concrete ditch, splash walls, rip-rap ditches, and concrete cut-off walls; relocating manhole vents and air release valves; and hydroseeding to establish vegetation.

Engineer's estimate: \$793,440

Bidder and Location	Total	SBE \$	SBE %	Met SBE ¹
Jeremy Harris Construction, Inc. Riverside, CA	\$677,898	\$677,898	100%	Yes
Atom Engineering Construction, Inc. Hemet, CA	\$678,398	-	-	-
Three Peaks Corporation Calimesa, CA	\$873,137	-	-	-
Houalla Enterprises, Ltd. Db a Metro Builders & Engineers Group, Ltd., Metro Builders & Engineers Group, Ltd. Newport Beach, CA	\$995,971	-	-	-

¹ Small Business Enterprise (SBE) participation level established at 25% for this contract.

The Metropolitan Water District of Southern California**Subcontractors for Low Bidder****Specifications No. 1822****Right-of-Way Infrastructure Protection Program – Western San Bernardino Region Stage 1**

Low bidder: Jeremy Harris Construction, Inc.

Subcontractor and Location
Incompli Orange, CA
Hemet Fence Homeland, CA
Canyon Hydroseeding Beaumont, CA
Borden Excavating, Inc. Calimesa, CA
Lopez Construction Corona, CA

Distribution System

