



DATE: October 16, 2023

TO: Mayor and Members of the City Council

VIA: Stefan Chatwin, City Manager

FROM: Andrew Brozyna, Public Works Director
Francine Magno, Senior Civil Engineer
Paul Nagengast, Project Advisor, Regional Government Services

DEPARTMENT: Public Works

SUBJECT: LEVEE IMPROVEMENTS PROJECT (CIP 327-657) – GENERAL UPDATE – AUGUST AND SEPTEMBER 2023

RECOMMENDATION

It is recommended that the City Council, by Minute Order, consider and accept this progress update on the Levee Improvements Project (Project). No further action is required by the City Council.

EXECUTIVE SUMMARY

Staff will provide a verbal update of the latest Project activities at the City Council meeting. This report provides an update of Project progress and budget impacts with current expenditures detailed in an attached work sheet.

Highlights of Project progress and pictures, since the last City Council update on August 21, 2023, are included in the attached Construction Managers Report and listed below:

- Contract Change Order No. Thirty-One (CCO 31) approved by the City Council on March 6, 2023, established the Phase 3 interim milestone date as July 31, 2023. The Contractor did not meet the Phase 3 milestone date. However, the Phase 3 portion of the trail, from the San Mateo Bridge to the northerly City limits, was opened to the public on October 6, 2023. In accordance with CCO 31, an amount of \$1,500/day can be deducted from Contractor payments for delays beyond the

established interim milestone date caused solely by contractor's fault or negligence. Staff is analyzing the Phase 3 work schedule to determine the cause of delay. In addition, the Contractor did not receive early release of 15% of earned Project contract retention monies. With the Phase 3 milestone, public access has now been restored to 100% of the Bay Trail.

- The Project has achieved a major flood protection milestone: As of July 19, 2023, all of the flood protection elements for the project have been completed. This includes the completion of all the remaining floodwalls, hybrid sheet pile walls, and earthen levee segments. With this, the levee protection system has met the FEMA requirements for accreditation-the primary project goal. The engineer of record for the Project, Schaff & Wheeler Consulting Civil Engineers is preparing the required submittals to FEMA to meet the accreditation necessary for updating flood insurance rate maps (FIRM).
- The removal of the contractor's staging area, finalizing roadway striping and markings, and energizing the streetlights completes the restoration of Beach Park Boulevard. The speed limit has been restored to 35mph.

Current Schedule Timeline

Award of Contract:	July 20, 2020
Notice to Proceed:	September 28, 2020
Phase 1 Bay Trail Interim Milestone Date:	March 27, 2023
Phase 2 Bay Trail Interim Milestone Date:	July 15, 2023
Phase 3 Bay Trail Interim Milestone Date:	October 6, 2023
Project Substantial Completion:	October 6, 2023 (pending certificate of substantial completion)
Project Completion:	January 10, 2024

PROJECT BUDGET AND COST/EXPENSES

Final Project completion continues to be on time and within budget and expenses continue to trend as anticipated.

Summary of known costs to date:

- Total Budget/ Bond Measure/Funding Sources: Bond Measure = \$90M; Bonds Issued = \$90M; Additional City reserves for Project = \$10M; \$5M appropriated for Project. Total current appropriated Project funding = \$95M.
- Bid: Shimmick: \$60.2M; Contract Amendment: \$3.2M and \$9.3M (\$664K remaining) contingency for change orders.
- Payments as of 09/30/2023: Shimmick: \$68.9M; Others:\$19.1M; Total: \$88M
- Change Orders and Contract Amendment Approved as of 09/30/2023: CCO Nos. 1-36 and CA = \$11.8M

CALIFORNIA ENVIRONMENTAL QUALITY ACT

An Environmental Impact Report was prepared for the Levee Protection Planning and Improvements Project (State Clearinghouse No. 2016012012).

FISCAL IMPACT

There is no fiscal impact associated with this update. Any fiscal impacts to the Project will be presented to the City Council as a separate agenda item with a recommended action.

CITY COUNCIL VISION, MISSION, AND VALUE/PRIORITY AREA

Facilities and Infrastructure

ATTACHMENTS:

Attachment 1 - Monthly Construction Manager's Report September 2023

Attachment 2 - Expenditure Report as of September 30, 2023

Attachment 3 - Memorandum and Communications Metrics – September 2023

Dashboard Report