



Legislation Details (With Text)

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On agenda: 1/24/2023 **Final action:**

Title: Director of Public Works requests the following actions regarding the Campbell Creek Culvert/Fish Passage Project, RDS 22-01:

1. Approval of and authorization for the Chair to sign an Amendment No. 1 to Agreement No. 220242B with Cardno Inc. (Cardno), reassigning the contract to Stantec Consulting Services, Inc. (Stantec), and increasing maximum compensation by \$59,250 for a new maximum of \$441,605; and
2. Approval of a Budget Transfer for the following (4/5 vote required):
 - a. Increase appropriation by \$59,250 in the SB1 Non-Operating Special Revenue Fund (Fund 2440, Org 1220052, Object 56100) with the use of its available fund balance to be transferred to Project 22012 (Fund 2040, Org 2040500, Object 48200); and
 - b. Increase appropriations by \$59,250 in Project 22012 (Campbell Creek Culvert) (Fund 2040, Org 2040500, Object 52360) budget offset by a transfer-in revenue from the SB1 Non-Operating Special Revenue Fund.

Sponsors: Board of Supervisors

Indexes:

Code sections:

Attachments: 1. Agreement, 2. Support Letter - Friends of the Napa River, 3. Support Letter - Napa County Resource Conservation District, 4. Project Budget Summary

Date	Ver.	Action By	Action	Result
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TO: Board of Supervisors

FROM: Steven Lederer - Director of Public Works

REPORT BY: Frank Lucido, Engineering Manager

SUBJECT: Amendment No. 1 to Professional Services Agreement No. 220242B with Cardno Inc. for the Campbell Creek Culvert/Fish Passage Project, RDS 22-01

RECOMMENDATION

Director of Public Works requests the following actions regarding the Campbell Creek Culvert/Fish Passage Project, RDS 22-01:

1. Approval of and authorization for the Chair to sign an Amendment No. 1 to Agreement No. 220242B with Cardno Inc. (Cardno), reassigning the contract to Stantec Consulting Services, Inc. (Stantec), and increasing maximum compensation by \$59,250 for a new maximum of \$441,605; and

2. Approval of a Budget Transfer for the following (4/5 vote required):

- a. Increase appropriation by \$59,250 in the SB1 Non-Operating Special Revenue Fund (Fund 2440, Org 1220052, Object 56100) with the use of its available fund balance to be transferred to Project 22012 (Fund 2040, Org 2040500, Object 48200); and
- b. Increase appropriations by \$59,250 in Project 22012 (Campbell Creek Culvert) (Fund 2040, Org 2040500, Object 52360) budget offset by a transfer-in revenue from the SB1 Non-Operating Special Revenue Fund.

EXECUTIVE SUMMARY

The County is replacing a culvert on Dry Creek Road over Campbell Creek with a bridge. Staff is requesting for approval of an amendment with Stantec/Cardno who is designing the project and a budget transfer to add \$59,250 to their contract. The added scope is needed to start the process of purchasing easements and to put a grant application package together for the Culvert Aquatic Organism Passage (AOP) Grant that was enacted with the Federal Infrastructure Investment and Jobs Act (H.R. 3684).

FISCAL & STRATEGIC PLAN IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
Where is it budgeted?	Proposed funding is from the SB-1 Special Revenue Fund.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The County currently does not have the resources, capacity or all of the expertise in-house for the easement acquisition or grant application. Funding is required to move the project forward.
Is the general fund affected?	No
Future fiscal impact:	Design started in the later part of Fiscal Year 2021-22 and currently is in the permitting phase. Based on permit requirements there may be other future fiscal impacts that aren't known at this time. Construction isn't anticipated until 2024. Beyond that 5 to 10 years of maintenance and monitoring and a nominal amount of additional budget will be required.
Consequences if not approved:	The County could lose out on grant funds and not acquiring easements could delay or end this project meaning that the County will be unable to meet regulatory requirements.
County Strategic Plan pillar addressed:	Livable Economy for All
Additional Information:	Funding for this project will come from the SB-1 Special Revenue Fund.

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable. CEQA for the

project will be performed when a sufficient amount of design information is available.

BACKGROUND AND DISCUSSION

The County must implement measures to reduce sediment loading into the Napa River from County owned infrastructure to meet The State Water Resource Control Board (SWRCB) Water Quality Order, Phase II requirements. A culvert on Campbell Creek which flows under Dry Creek Rd. near the Lokoya/Dry Creek Fire Station has been identified as a high priority to replace. In addition to reducing sediment movement into the Napa River, replacing this severely undersized culvert with a bridge will help prevent the potential failure of Dry Creek Rd., reduce flooding at the Lokoya Fire Station and Dry Creek Rd. and remove a restrictive fish passage barrier. Because of the potential environmental benefits, the project is supported by the Friends of the Napa River and the Napa Resource Conservation District.

Through a requests for qualifications process, Cardno was interviewed and selected as the most qualified firm to complete the design needed for the Campbell Creek project. The County and Cardno negotiated compensation in the amount of \$382,355 which included environmental, utility relocation, geotechnical, surveying, civil and structural services needed to design the project for the foreseeable scope. Cardno has since been acquired by Stantec and although the same core team is continuing with the project, billing will be processed through Stantec. Therefore in addition to adding scope, part of this amendment reassigns the contract to Stantec.

The Board had previously approved an optional task for as directed services in the amount of \$20,000 that could be used to apply for grants and other small tasks. Most of these funds were used to apply for an \$800,000 grant from the SWRCB, however, a small amount has been used to start the process of assembling a proposal for the Culvert Aquatic Organism Passage (AOP) Grant through the Federal Highways Administration (FHWA). Public Works anticipates submitting a request to FHWA for at least \$800,000 in this proposal and is requesting an additional \$20,000 from the Board for the application effort.

Although the proposed bridge is entirely within the County Right of Way, upstream elements of the restoration project partially reside on private property. Staff has communicated with Mr. Serra who is the owner of this property (APN 027-310-036) to discuss the project. He indicated that he supports the current project however requested that we leave the old Dry Creek Bridge which is in the restoration area and mostly on his property so that it would be available in the event of an emergency. Scope in the amount of \$39,250 is needed to start the acquisition process needed for temporary construction and maintenance easements from the Serra's.

The estimated total project cost at this time is \$1,730,426 and a budget transfer of \$59,250 is needed to fund additional work. The project is currently in the environmental and permitting phase and staff expects to return to the Board on February 8, 2023, requesting the adoption of a Mitigated Negative Declaration. It is possible that surveys, mitigation or additional permitting triggered from the discovery of listed species or governing agency requirements will require additional funding. To date we anticipate that surveys for Northern Spotted Owls, and some additional effort due to the presence of special status fish, amphibians, and reptiles found in the area will be required. If the project receives FHWA funding NEPA will be required as well. Once these requirements are fully understood, staff will likely return to the Board to request additional funding.