

To: Contra Costa County Housing Authority Board of Commissioners  
 From: Joseph Villarreal, Housing Authority  
 Date: October 9, 2018



Contra  
Costa  
County

Subject: Construction Contract with Engineered Soil Repairs, Inc.

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## **RECOMMENDATIONS**

(1) **APPROVE** plans, specifications, and design for the Landslide Remediation/Slope Stabilization Project, Alhambra Terrace, Martinez Project (CA011001).

(2) **APPROVE** the above project and take related actions under the California Environmental Quality Act (CEQA).

(3) **DETERMINE** the project is a CEQA Class 1, Class 3, and Class 4 categorical exemption, pursuant to Article 19, Sections 15301, 15303, and 15304 of the CEQA Guidelines.

(4) **AWARD** the construction contract for the above project to Engineered Soil Repairs, Inc. ("ESR") in the amount listed in ESR's proposal (\$141,239.00, plus \$124.00 per ton of placed rock rip- rap in excess of 450 tons), and **DIRECT** that ESR shall present two good and sufficient surety bonds contractor shall present two good and sufficient surety bonds (performance and payment) in the amount of \$141,239.00 each and that the Executive Director, or designee, shall prepare the contract.

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Action of Board On: **10/09/2018** ☒ **APPROVED AS RECOMMENDED** ☐ **OTHER**

Clerks Notes:

### **VOTE OF COMMISSIONERS**

AYE: John Gioia,  
 Commissioner  
 Candace Andersen,  
 Commissioner  
 Diane Burgis,  
 Commissioner  
 Karen Mitchoff,  
 Commissioner  
 Federal D. Glover,  
 Commissioner  
 Jannel George-Oden,  
 Commissioner

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

**ATTESTED:** October 9, 2018

Joseph Villarreal, Executive Director

By: June McHuen, Deputy

Contact: 925-957-8028

cc:

## RECOMMENDATIONS (CONT'D)

(5) **AUTHORIZE** the Executive Director, or designee, to approve construction change orders, as needed, up to a maximum total of 10% (\$14,123.90), which is in addition to the contract award amount (\$141,239.00) and the potential payment for extra rip-rap set forth above.

(6) **ORDER** that, after the contractor has signed the contract and returned it, together with the bonds as noted above, certificates of insurance, and any other required documents, and the Executive Director has reviewed and found them to be sufficient, the Executive Director, or designee, is authorized to sign the contract for this Board.

(7) **ORDER** that the Executive Director, or designee, is authorized to sign any escrow agreements prepared for this project to permit the direct payment of retentions into escrow or the substitution of securities for moneys withheld by HACCC to ensure performance under the contract, pursuant to Public Contract Code Section 22300.

(8) **DELEGATE**, pursuant to Public Contract Code Section 4114, to the Executive Director, or designee, the Board's functions under Public Contract Code Sections 4107 and 4110.

(9) **DELEGATE**, pursuant to Labor Code Section 6705, to the Executive Director, or to any registered civil or structural engineer employed by HACCC, the authority to accept detailed plans showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection during trench excavation covered by that section.

(10) **DIRECT** the County Director of Conservation and Development to file a Notice of Exemption with the County Clerk and **AUTHORIZE** the Executive Director, or designee to arrange for payment of a \$25 fee to Conservation and Development for processing and a \$50 fee to the County Clerk for filing the Notice of Exemption.

## BACKGROUND

On January 18, 2017, a landslide occurred on the Housing Authority's property next to the main administrative buildings (Alhambra Terrace). Mud flowing downhill from the slide came to rest next to the buildings. To prevent damage to the buildings and potential injury to staff, management directed prompt removal and clean-up of the mud.

To prevent the slide from recurring and to stabilize the Housing Authority property, management hired a geotechnical firm (Kropp & Associates) to investigate the cause of the slide. On February 14, 2018, Kropp & Associates issued a report with recommendations for a long-term repair and stabilization of the slide area. According to the Kropp report, there is some indication that the slide was caused or worsened by drainage directed into the slide area from an adjacent property. Management and staff are

in the process of pursuing a claim against that property owner's homeowners insurance.

To carry out the Kropp report recommendations, management hired a structural engineering firm (Spectrum Engineers) to prepare a detailed design for the slide repair and slope stabilization project. Detailed plans and specifications, consisting of 6 sheets and 12 pages, were prepared by a licensed structural engineer and finalized on September 7, 2018. The plans and specifications will enable the slide area to be permanently repaired and stabilized.

Using the plans and specifications, staff solicited a quote for the slide repair construction work from Engineered Soil Repairs, Inc. (ESR) of Walnut Creek, piggy-backing off of an existing contract that the County has with ESR for on-call services. ESR was also the top-listed firm on the list of contractors recommended by Kropp & Associates. On September 19, 2018, ESR submitted a proposal to perform the construction work for the slide repair/slope stabilization project for \$141,239, plus \$124 per ton for placed rock rip-rap in excess of 450 tons. Staff has reviewed the bid price and is satisfied it is a reasonable price for the substantial work involved. During construction, Kropp & Associates and Spectrum Engineers will visit the site to verify that the work is proceeding in accordance with the Kropp report recommendations and the plans and specifications.

To enable the slide repair/slope stabilization project to be completed this construction season before the rainy season shuts down construction, the Executive Director recommends that the Board take the following actions:

- (1) Approve the project design, plans, and specifications, which approval will give design immunity to the Housing Authority.
- (2) Determine that the slide repair/slope stabilization project, which will basically restore the slope of the Housing Authority property to its original configuration, qualifies as a categorical exemption under the following Guidelines for the California Environmental Quality Act (CEQA): Class 1 (repair and maintenance of public structures, facilities, or topographical features), Class 3 (construction and location of new, small facilities or structures), and Class 4 (minor public alterations to land). See the Notice of Exemption attached to this Board order.
- (3) Award the construction contract for the above project to ESR for their bid price (\$141,239, plus \$124 per ton for placed rock rip-rap in excess of 450 tons), direct the Executive Director to prepare the contract, and authorize the Executive Director to sign the contract following his review and approval of the signed contract, bonds, and insurance from ESR.
- (4) Take the additional related actions listed in the Recommended Actions above.

#### FISCAL IMPACT

The construction contract and related project management, inspection, and testing will be funded 100% by HUD.

#### CONSEQUENCE OF NEGATIVE ACTION

Should the Board of Commissioners not award the construction contract, as recommended, the landslide will remain unrepaired and unstabilized, with the potential for additional damage, injury to staff, and interference with HACCC operations during the upcoming rainy season.

#### CLERK'S ADDENDUM

#### ATTACHMENTS

NOE