



CITY OF MARTINEZ

**CITY COUNCIL AGENDA
February 6, 2013**

TO: Mayor and City Council
FROM: Don Salts, Deputy Public Works Director
SUBJECT: 2012 Martinez Marina Maintenance Dredging Project
DATE: January 30, 2013

RECOMMENDATION:

Adopt resolution accepting the 2012 Martinez Marina Maintenance Dredging Project per contract documents and instruct the City Clerk to file a Notice of Completion.

SUMMARY:

On September 5, 2012, a contract was awarded to California Dredging Company for dredging of the marina as per contract plans and specifications for a total bid amount of \$250,000.00. One contract change order was issued. The final total price including said change order and based on actual field measurements of dredged material is \$251,877.75.

BACKGROUND:

At the February 1, 2012 Council meeting, Council authorized Anchor QEA to perform consulting services to provide permitting and design services for the dredging project. Anchor QEA completed the plans, specifications and estimates (PS&E) and the project was advertised for constructions bids on June 30, 2012. Draft permit conditions from permitting agencies were included in the PS&E, since the actual permits were not expected to be issued until after the advertising period.

Sealed bids were opened by the Deputy City Clerk on July 17, 2012. At the September 5, 2012 Council meeting, Council awarded the construction contract to California Dredging Company, as the lowest responsible bidder. The contractor's Notice to Proceed was issued October 26, 2012, and he mobilized for the project. The last permit necessary for the work was issued by BCDC on November 26, 2012. In anticipation for the delay in processing the permits, staff applied for and received permit extensions to extend the "dredge work window" from November 30th to December 14th.

At the October 17, 2012 Council meeting, Council allocated \$65,000 of Assigned Marina Project funds to cover additional permitting costs related to the project's potential impacts to the Salt Marsh Harvest Mouse (SMHM), which is a federally listed endangered species. The area of concern for the mouse is the existing pickle weed plant within Dredge Disposal Pond 2. See

attached Disposal Pond Map. Pickle weed is considered a suitable habitat for the protected mouse. The U.S. Fish and Wildlife Service (USFWS) made a preliminary determination on the required mitigation for the temporary impacts to the pickle weed for not only the current dredging project but potentially for periodic projects through the year 2032. The USFWS agreed to allow the dredge project proceed if the City agreed to the mitigation requirements. Currently, the mitigation requirements for this year's dredge will be at a 1.1 to 1 ratio of required mitigation area to disturbed SMHM habitat area. Per this formula it means the City will have to provide approximately 4 acres of off-site improvements.

The required mitigation included preparing a Mitigation Plan, which will define the scope of the mitigation measures and monitoring required for not only this project, but for future projects as well. Typically the mitigation plan is required before permits are issued. Staff has authorized Anchor QEA to prepare the mitigation plan. The draft Mitigation Plan is due to the USFWS by April 1, 2013 and the habitat enhancement is due to be completed by December 31, 2013. Once the plan is completed we will have a better idea of the costs associated with meeting the mitigation requirements. The commitment to the mitigation and creation of a mitigation plan was necessary for the City to receive its permits for dredging this year.

Discussion:

The contract originally called for dredging of 22,505 cubic yards at locations shown on the plans and allowed the contractor approximately 45 working days to complete the work. The four areas shown on the plans to be dredged included: 1) the entrance (8,400 cy); 2) the main fairway (2,200 cy); 3) the end of B and C docks (4,000 cy); and 4) under the missing portion of C Dock (5,100 cy). Due in part to the decision by East Regional Park District to decline funding for C dock dredging and improvements and also the updated marina plan, the dredge footprint was modified to include some of the slip area on east side A Dock and the Guest Dock area instead Areas 3 and 4.

The contract change order was issued to incorporate the changes to the dredge footprint, the final permit conditions and also the significantly reduced time to complete the work. The actual amount dredged, based on the pre and post-dredge surveys was 14,501 cubic yards. A copy of the post dredge survey is attached.

FISCAL IMPACT:

The project is budgeted under Account No. C8008. This phase of the project was completed within the budgeted funds. Additional funds will be required to implement the mitigation and monitoring requirements. As noted above, these costs will be able to be estimated once the mitigation plan is developed.

The current budget is detailed below:

Funding	
Shell Donation	\$500,000
Assigned Marina funds	\$65,000
Total Funding	\$565,000

Budget	
Design and Permitting	\$225,000
Smelt Mitigation Fee	\$12,000
Salt Marsh Harvest Mouse Monitoring	\$7,200
Pre and Post Dredge Surveys	\$15,000
Construction Contract	\$252,000
Staff Project and Construction Mgmt.	\$23,800
Mitigation Plan	\$30,000
Total Budget	\$565,000

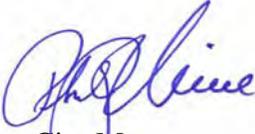
ACTION:

Adopt resolution accepting the 2012 Martinez Marina Maintenance Dredging Project per the contract documents instructing the City Clerk to file a Notice of Completion.

Attachments:

Dredge Plan
 Disposal Pond Map
 Post-dredge Survey
 Resolution

APPROVED BY:



City Manager

RESOLUTION NO. -13

ACCEPTING THE 2012 MARTINEZ MARINA MAINTENANCE DREDGING PROJECT
PER CONTRACT DOCUMENTS AND INSTRUCTING THE CITY CLERK
TO FILE A NOTICE OF COMPLETION

WHEREAS, the City of Martinez has heretofore entered into a contract with California Dredging Company for certain work on the 2012 Martinez Marina Maintenance Dredging Project and the Public Works Director has recommended acceptance of said work of improvement as completed in accordance with plans, specifications and approved change orders and correction lists, and in accordance with the final inspection of the Deputy Director of Public Works.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Martinez that said work is hereby accepted as completed on this 6th day of February 2013.

BE IT FURTHER RESOLVED that the City Clerk, is hereby directed to file a Notice of Completion on said project.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 6th day of February, 2013, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ