



City Council Agenda Item

City Council Meeting Date: March 7, 2023

TO: Dean Albro, City Manager

FROM: Keith Quinlan, Solid Waste Superintendent
k_quinlan@ci.lompoc.ca.us

SUBJECT: Adoption of Resolution No. 6565(23) Superseding Resolution 6492(22) and Approving Terms and Conditions of an Internal Construction Loan Advancing Funds to the Solid Waste Fund for Interim Financing for Certain Capital Expenditures for Improvements to the Solid Waste Landfill; Adoption of Resolution No. 6566(23) Adopting the Plans and Special Provisions, Awarding the Contracts for Construction and Construction Management, and Approving Supplemental Appropriations for Project No. FY-20-LF-1, Lompoc Landfill Drainage Improvements

Recommendation:

Staff recommends the City Council:

- 1) Adopt Resolution No. 6565(23) (Attachment 1), which supersedes Resolution No. 6492(22), Approving Terms and Conditions of an Internal Construction Loan Advancing Funds to the Solid Waste Fund for Interim Financing for Certain Capital Expenditures for Improvements to the Solid Waste Landfill; and
- 2) Adopt Resolution No. 6566(23) (Attachment 2):
 - a) Adopting the Plans and Special Provisions for Project No. FY-20-LF-1, Lompoc Landfill Drainage Improvements (Project), as required by Section 22039 of the Public Contract Code¹;
 - b) Awarding the construction contract (Contract) in the amount of \$5,489,550 to Bosco Constructors, Inc., in a form approved by the City Attorney;
 - a. authorizing the City Manager to execute the necessary agreements for the Contract,
 - b. authorizing the Solid Waste Superintendent, or designee, to approve additional construction costs and construction contract change orders in an amount not to exceed \$800,000;

¹ Copies of Plans and Special Provisions are on file in the City Engineer's Office.

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- c) Awarding the consulting contract for construction management, inspection, and construction materials testing services (Construction Management Contract) in the amount of \$603,410 to MNS Engineers, Inc., in a form approved by the City Attorney;
 - a. authorizing the City Manager to execute the necessary agreements for the Construction Management Contract,
 - b. authorizing the Solid Waste Superintendent, or designee, to approve additional costs and consulting contract change orders in an amount not to exceed \$80,000; and
- d) Approving supplemental appropriations for the Project.

Background:

Overview

The Project plans to design and implement precipitation and drainage controls to accommodate the anticipated surface runoff volume and peak flows from a 100-year, 24-hour rainstorm event in accordance with the Central Coast Regional Water Quality Control Board (RWQCB) specific Notice of Violation (NOV) requirements and general construction criteria and specifications stipulated by Title 27 of the California Code of Regulations, Environmental Protection.

On July 6, 2018, the City was issued an NOV from the RWQCB on the allegations that the Lompoc Landfill's (Landfill) existing drainage conveyance structures were not adequately sized to handle the minimum required 100-year, 24-hour storm events after failures of the conveyance structures were observed after the March 2018 storm events. The NOV required the City to submit a technical report outlining the short- and long-term measures to be implemented to bring the site into compliance and prevent additional drainage system failures.

A Technical Report was prepared by Geosyntec that was submitted to the RWQCB on October 30, 2018, to meet the requirements of the NOV. Short-term measures were recommended including installation of straw wattles, fiber rolls, compost with seed, rip rap aprons at drainage outlets, track out controls and other common best management practices (BMPs) around the site to reduce sediment runoff. For long-term measures, Geosyntec evaluated the existing site conveyance structures and retention basin for the 100-year, 24-hour storm event and evaluated the impacts of diverting offsite run-on. The results of the analysis showed that the existing basin within the Landfill footprint was adequately sized only if all the offsite run-on was diverted. This analysis did not consider the long-term conditions of the Landfill after closure when the existing basin within the Landfill footprint would be removed. In August 2020, Geosyntec prepared a revised Drainage Improvement Measures Report that evaluated the scenario with zero offsite run-on diversion, with the results showing that the existing sedimentation basin outlet standpipe would need to be increased to 72-inches.

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In May 2021, Golder Associates (Golder), was tasked with updating the City's master planning documents for the Lompoc Landfill, including airspace needs, fill sequencing, soil management, access road needs, surface water management, erosion and sediment control and updates to the Joint Technical Document (JTD). On July 30, 2021, Golder submitted an Engineering Design Report for the final design of stormwater corrective actions, meeting the requirements of the Technical Reports required by the RWQCB's NOV and requirements for technical reports dated October 22, 2020.

The RWQCB's NOV indicates the Landfill is out of compliance with respect to stormwater drainage control requirements in the site's Waste Discharge Requirements (WDRs). The non-compliance issues noted included the following:

- A portion of the drainage facilities, including the upper sediment basin, are undersized and not able to accommodate anticipated precipitation, and peak surface runoff flows from a 100-year, 24-hour rainstorm event.
- The upper sediment basin is also unlined and a portion of it overlies waste. As a result, the basin allows ponding water and infiltration into underlying waste.
- The west side drainage channel failed resulting in the mobilization of sediment into the upper sedimentation basin. Corrective action measures must be enacted to minimize erosion.
- The Landfill has unlined conveyance channels that overlie waste. WDR specification C.10 requires drainage ditches overlying waste to be lined with a synthetic liner or at least a one-foot-thick layer of soil with an in-place hydraulic conductivity of 1×10^{-6} cm/s.

On June 3, 2020, the Landfill performed a fly-over site topographic survey, which has been used in the final design of the stormwater corrective actions. (The previous reports related to the above non-compliance issues were based on a 2014 topographic survey.) The updated 2020 survey was utilized to update the final grading plans, as it is one of the most critical grading conditions for sizing stormwater conveyance and retention structures.

An Engineering Design Report Revision for the final design of stormwater corrective actions was submitted to RWQCB in November 2022. The updated report was submitted to reflect an updated design that includes lining the proposed sedimentation basin with concrete and updated topography at the request of the RWQCB. The updated Engineering Design Report presented final construction plans that addressed each of the above bulleted issues.

Discussion:

The Lompoc Landfill is a Class III landfill, and according to Title 27 of the California Code of Regulations, WDR R3-2003-0014, and General Order No. R3-2020-001, the Landfill must be designed and operated to accommodate a 100-year, 24-hour storm event.

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According to the National Oceanic and Atmospheric Administration (NOAA) Atlas 14, Vol. 2, the 100-year, 24-hour storm event for the Lompoc Landfill is 7.12 inches.

All ditches, culverts, down drains, and the new basin were designed to accommodate the peak stormwater run-off from the 100-year, 24-hour storm event of 7.12 inches. The stormwater runoff from the Landfill and the surrounding area will be separated and managed in different conveyance systems. Stormwater run-on from the Landfill's surrounding areas is to be conveyed by channels and culverts to the north end of the site to an existing 48-inch diameter corrugated metal pipe (CMP) culvert where the stormwater will discharge onto the existing drainage channel along the access road. Stormwater run-off from the interim Landfill surface and Landfill grading plan will be conveyed by channels, down drains, and culverts to the retention basin at the north end of the site.

The existing upper sediment basin will be removed and replaced with a new basin located at the toe of the Landfill. The existing basin will be removed by placing clean soil or waste fill in the portion of the basin overlying waste. The portion of the basin outside of the Landfill will be filled with clean soil.

The new basin is designed to manage industrial surface water from the Landfill. Non-industrial run-on from the adjacent land will bypass the proposed basin into the existing downstream channel.

The retention basin was designed to retain the 85th percentile, 24-hour storm event. Following each storm event, the basin is designed to be emptied by a Faircloth Skimmer. The basin is also designed to accommodate a 100-year, 24-hour storm event using a 6-foot diameter standpipe and 4-foot diameter CMP discharge culvert.

Surface water drains around the perimeter of the Landfill from the southeast corner of the site around the perimeter of the Landfill. There are two perimeter flow paths around the Landfill referred to as the eastern and western perimeter channels. Industrial surface water from the Landfill is segregated from surface water run-on from the adjacent land. The inner western perimeter channel collects surface water from the lower slope on the western portion of the Landfill. The outer western perimeter channel will collect surface water run-on from adjacent land on the western side of the Landfill.

The proposed design includes regrading these channels and lining the primary channels with erosion control matting or concrete to prevent future erosion. The concrete will be reinforced with steel, welded-wire fabric. (See Attachment 3 for Project location.)

On April 19, 2022, the City Council adopted Resolution Nos. 6491(22) and 6492(22) declaring the City's intent to reimburse itself with proceeds of a future tax-exempt financing and approving an internal construction loan of approximately \$5 million from Electric Fund 752 to advance funds for the Project.

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Environmental

Based on the initial study evaluation, the City has not found the project will have potential for environmental impacts that will require mitigation measures to reduce them to a less than significant level. The Project has been determined to be Categorically Exempt pursuant to Sections 15301, 15302, 15303, and 15304 of the California Environmental Quality Act (CEQA).

Construction Advertisement

The Project was noticed, advertised, and bid in accordance with the procedures of the Uniform Public Construction Cost Accounting Act (Public Contract Code sections 22000-22045), which has been incorporated into the Lompoc Municipal Code (LMC) within LMC Chapter 3.36.025, Procurement of Public Projects.

The Office of the City Clerk was available to receive bids for the Project until 2:00 p.m., Thursday, February 9, 2023, at which time three bids were publicly opened and read. The bids received ranged from \$5,489,550 to \$5,998,776 (see Attachment 4). The consulting engineer's construction cost estimate prepared during design was in the range of \$5,200,000 to \$6,000,000. City Engineering Division staff reviewed the bids and found them to be responsive. Bosco Constructors, Inc. was the lowest bidder.

A contingency of \$800,000 is proposed for additional construction costs and contract change orders.

Additional Consulting Services

a) Construction Management and Inspection Services

During the construction bid advertisement, staff also solicited a request for proposals from professional firms to provide construction management, inspection, and construction materials testing services during construction. Staff has reviewed and ranked the three proposals received using qualifications-based selection procedures, and has selected MNS Engineers, Inc. of Santa Barbara, CA, as the first-ranked proposing consultant. The firm will provide experienced staff to perform construction management, inspection, and materials testing services for the Project. The estimated (time and materials) fee for MNS Engineers, Inc.'s proposed services for the Project is \$603,410, with \$80,000 proposed as a contingency for additional costs and contract change orders.

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Fiscal Impact:

The Project construction budget is as follows:

	<u>Amount</u>
Construction Contract	5,489,550
Construction Contract Contingency	800,000
Construction Support Management & Inspection Consul.	603,410
Construction Support Contingency	80,000
Permits, Filing Fees, and Other Costs	20,000
Engineering Staff Contract Administration & Support	80,000
Total Construction Budget	<u>\$7,072,960</u>

The Project is proposed to be funded from Solid Waste Landfill Municipal Storm Water Program funds, which will be available due to an internal construction loan, as detailed in Resolution No. 6565(23) (Attachment 2). Resolution No. 6565(23) will supersede Resolution No. 6492(22) adopted on April 19, 2022, to increase the internal loan amount from \$5 million to \$7.1 million, and to change the funding source from Electric Fund 752 to Water Fund 751. That internal construction loan will be reimbursed by future tax-exempt financing that is planned to be issued by April 2025, as indicated by Resolution No. 6491(22) adopted on April 19, 2022. The necessary budget appropriations are shown in Table 1 below.

Table 1 – Project Funding Summary				
Program	Acct. No.	Account Description	Source	Use
Solid Waste Landfill	759RSW-481580	Solid Waste Loan Proceeds	\$7,072,960	
Solid Waste Landfill	759SWM-887170	SW Municipal Storm Water Program		\$7,072,960
Totals			<u>\$7,072,960</u>	<u>\$7,072,960</u>

Conclusion:

Adopting the Plans and Special Provisions for the Project; awarding the Construction Contract to Bosco Constructors, Inc., awarding the Construction Management Contract to MNS, and approving the supplemental appropriations authorizing the expenditure of funds to complete the Project, are necessary to bring the City's Landfill into compliance with State Water Resources Control Board requirements.

Respectfully submitted,

Keith Quinlan, Solid Waste Superintendent

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APPROVED FOR SUBMITTAL TO THE CITY MANAGER:

Charles Berry, Utility Director

APPROVED FOR SUBMITTAL TO THE CITY COUNCIL:

Dean Albro, City Manager

- Attachments:
- 1) Resolution No. 6565(23)
 - 2) Resolution No. 6566(23)
 - 3) Location Map
 - 4) List of Bidders