

Meeting Date: 6/11/2013

Report Type: Consent

Report ID: 2013-00425

Title: Contract Award: P Street Sewer Improvements, 5th to 7th Street (X14010000)

Location: District 4

Issue: This project will reduce combined sewer flooding in the downtown area by constructing a large diameter pipeline in P Street as part of the Downtown Sewer Upsizing Program.

Recommendation: Pass: 1) a Resolution a) adopting the addendum to the Combined Sewer System Rehabilitation and Improvement Plan Environmental Impact Report, b) readopting the findings of fact and statement of overriding considerations, and c) adopting the mitigation monitoring plan; 2) a Resolution a) ratifying the City Manager's approval of Assistance Agreement No XP00T78001 with the U.S. Environmental Protection Agency (EPA), and b) authorizing the City Manager or the City Manager's designee to increase the revenue and expenditure budgets within the Wastewater Grant Fund (Fund 6206) for P Street Improvements, 5th to 7th Street Project (X14010000) to account for the grant amount of \$485,000; and 3) a Motion approving the contract plans and specifications for the P Street Sewer Improvements, 5th to 7th Street project, and awarding the contract to Florez Paving, for an amount not to exceed \$928,779.15.

Contact: Bill Busath, Engineering Services Manager, (916) 808-1434; Brett Grant, Supervising Engineer, (916) 808-1413, Department of Utilities

Presenter: None

Department: Department Of Utilities

Division: Cip Engineering

Dept ID: 14001321

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-Background Exhibit 1
- 4-Location Map
- 5-Resolution
- 6-Resolution (Findings CC EIR Addendum)
- 7-Exhibit A (EPA Agreement XP00T78001)
- 8-Exhibit B (P Street Sewer Contract)

City Attorney Review

Approved as to Form
Joe Robinson
6/4/2013 10:51:56 AM

City Treasurer Review

Reviewed for Impact on Cash and Debt
Russell Fehr
5/28/2013 3:30:16 PM

Approvals/Acknowledgements

Department Director or Designee: Dave Brent - 6/3/2013 12:06:59 PM

Description/Analysis

Issue Detail: The P Street Sewer Improvements 5th to 7th Street project will replace deteriorated portions of the Combined Sewer System (CSS), add in-line storage to reduce flooding in the surrounding and upstream portions of the CSS, and continue the Downtown Sewer Upsizing Project, a major component of the long-term CSS Improvement Program. This program is mandated by the City's National Pollution Discharge Elimination System permit, which regulates the City's operation of the CSS. A portion of the project cost is being funded by a United States Environmental Protection Agency (EPA) grant.

Policy Considerations: The requested action is in conformance with City Code Chapter 3.60, Articles I and III, which provide for the award of competitively bid contracts to the lowest responsible bidder.

Economic Impacts: This infrastructure improvement project is expected to create 3.72 total jobs (2.14 direct jobs and 1.58 jobs through indirect and induced activities) and create \$573,461 in total economic output (\$361,457 of direct output and another \$212,004 of output through indirect and induced activities).

The indicated economic impacts are estimates calculated using a calculation tool developed by the Center for Strategic Economic Research (CSER). CSER utilized the IMPLAN input-output model (2009 coefficients) to quantify the economic impacts of a hypothetical \$1 million of spending in various construction categories within the City of Sacramento in an average one-year period. Actual impacts could differ significantly from the estimates and neither the City of Sacramento nor CSER shall be held responsible for consequences resulting from such differences.

Environmental Considerations: The proposed project falls within the scope of the environmental impact report (EIR) prepared for the City's Combined Sewer System Rehabilitation and Improvement Plan (SCH: 1996082013) that was certified by City Council in March 1997 (Resolution No. 97-123). The mitigation monitoring program adopted at that time will apply to the proposed project. The proposed project is also consistent with the 2030 General Plan. Ongoing improvements to the City's utility infrastructure, including the combined sewer system, are contemplated in the general plan and Master EIR certified by the City Council in March 2009 (Resolution No. 2009-130).

The Community Development Department (CDD), Environmental Planning Services Division, has reviewed the proposed project for compliance with the requirements of the California Environmental Quality Act (CEQA), and has determined that an Addendum to the certified EIR for the City's Combined Sewer System Rehabilitation and Improvement Plan is the appropriate CEQA documentation. The proposed project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant effects considered in the certified EIR. Pursuant to CEQA Guidelines Section 15162, a subsequent EIR is not required.

The Addendum, the EIR for the City's CSS System Rehabilitation and Improvement Plan, and the Resolution (No. 97-123) certifying the EIR are available at the CDD's webpage at: <http://www.cityofsacramento.org/dsd/planning/environmental-review/eirs/>

Since federal funds will be utilized, the project is also subject to the National Environmental Policy Act (NEPA), which is administered through the EPA. A review of the proposed project was conducted, and a categorical exclusion was issued for this project since this project was eligible for exclusion from a detailed environmental review under 40 CFR §6.204 (a)(1)(ii) and will not involve any extraordinary circumstances. Accordingly, the EPA will not prepare either an environmental impact statement or an environmental assessment for the proposed project.

Sustainability: The project is consistent with the City's Sustainability Master Plan and sustainability targets as it will reduce sanitary sewer outflows. The project also improves system reliability, which will reduce energy-intensive maintenance efforts.

Commission/Committee Action: Not applicable.

Rationale for Recommendation: The project was formally advertised to solicit public bids, and four bids were received and opened by the City Clerk on May 8, 2013. The lowest bid was submitted by Florez Paving, in the amount of \$928,779.15. Staff has verified the validity of the bid bond, determined the bid to be responsive, and recommends that the contract be awarded to Florez Paving. The grant funding provided by the EPA provides funding for up to 48.5 percent of the cost for the project.

Financial Considerations: The City was awarded \$485,000 in U.S. EPA State and Tribal Assistance (EPA) Grant funds in August 2012 (see Exhibit A). Staff recommends that the revenue and expenditure budgets increase by the \$485,000 EPA grant in the P Street Improvements 5th to 7th Street project (X14010000, Fund 6206). Including the EPA grant funds, there is sufficient funding in the P Street Sewer Improvements 5th to 7th Street project to award the contract.

Emerging Small Business Development (ESBD): This contract is governed by the applicable federal Disadvantaged Business Enterprise/Minority Business Enterprise/Women Business Enterprise (DBE/MBE/WBE) requirements rather than the City's ESBE participation requirements because of the federal funding for this project. The bid submitted by Florez Paving complies with the "good faith" effort provisions of the federal DBE/MBE/WBE requirements.

Background

The P Street Sewer project includes the construction of approximately 860 linear feet of 72-inch diameter pipeline in P Street from 5th to 7th Street. This project is a part of the Downtown Sewer Upsizing Program (DSUP) and when completed, will help to reduce flooding of the combined sewer system (CSS) in the Downtown Area of Sacramento.

In 1996, the State Regional Water Quality Control Board (Board) and City Council approved the Combined Sewer System Improvement Program (CSSIP). The CSSIP was developed to determine the best approach to reduce discharges to the Sacramento River and flooding in the City's CSS. Past projects completed through the program include the upgrade and upsizing of Sumps 1/1A and 2/2A, conversion of Pioneer Reservoir to a primary treatment facility, the replacement and upsizing of numerous pipes within the collection system, and the construction of several in-line and off-line storage facilities, all designed to reduce surcharging and flooding in the system during rain events.

A major component of the CSSIP is the Downtown Sewer Upsizing Program (DSUP). Figure 1 shows the DSUP, which constitutes a network of upsized pipelines that connect to an upsized and improved pump station (Sump1/1A). When completed, the DSUP will significantly reduce flooding in the downtown area. The P Street project will connect to a recently completed portion of the DSUP at 5th and P Street and will allow planned upstream projects to be designed and constructed in order to complete the program.

The project was advertised and four bids were received and opened on May 8, 2013. The bids are summarized below:

Contractor	Bid Amount
Florez Paving	\$ 928,779.15
Preston Pipelines	\$ 986,000
Martin General Engineering	\$ 1,156,516
Civil Engineering Construction	\$ 1,268,273

The Engineer's construction estimate was \$885,000.

U.S. Environmental Protection Agency Grant

Since 1997, the United States Environmental Protection Agency (EPA) has been appropriating funds to the City of Sacramento to help fund the CSSIP (See Exhibit 1). The Special Appropriations Act for FY 2008 included EPA funds for State and Tribal Assistance Grants. In June 2008, the City received notification that the Downtown Sacramento Combined Sewer Improvement project was approved for funding through this Appropriations Act for the construction of drinking water, wastewater, and storm water infrastructure and for water quality protection.

The Department of Utilities has worked closely with the EPA to define a project that meets the needs of the City and the grant requirements. In August 2012, the P Street project was approved by EPA as an eligible project and funding was awarded. The project is eligible to receive up to \$485,000 in grant funding, but not more than 48.5 percent of the project costs.

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FILED
NOV 18 1997
DATE BY THE CITY COUNCIL
UTILITIES OFFICE OF THE CITY CLERK
OFFICE OF THE DIRECTOR

CITY OF SACRAMENTO
CALIFORNIA

5770 FREEPORT BLVD.
SUITE 100
SACRAMENTO, CA
95822-2911

PH 916-433-6607
FAX 916-433-6652

November 6, 1997

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: COMBINED SEWER IMPROVEMENT PROJECT - FEDERAL FUNDING

LOCATION AND COUNCIL DISTRICT: City-wide

RECOMMENDATION: There is no recommendation associated with this report. It is for information only.

CONTACT PERSONS: Jim Sequeira, Director of Utilities, 433-6607
Gary Reents, Engineering Services Manager, 433-6633

FOR COUNCIL MEETING OF: November 18, 1997

SUMMARY

Congress has passed and the President has signed into law the U.S. Environmental Protection Agency's (EPA) fiscal year 1998 budget, and spending measures include \$3 million for EPA and \$500,000 for the Army Corps of Engineers to assist the City in the upgrade of our Combined Sewer System.

COMMITTEE/COMMISSION ACTION: None

BACKGROUND INFORMATION

Through the efforts of Representatives Matsui, Fazio, and Lewis as well as Senators Boxer and Feinstein, the City of Sacramento was able to obtain \$3 million in grant funding to help support the first phase of the City's Combined Sewer System Improvement Program. This is a major accomplishment and is a result of the commitment to the project by the City's congressional delegation as well as Representative Jerry Lewis (R-California). Congressman Lewis led the House conferees in negotiations with the Senate where Senator Barbara Boxer sat as a Senate

conferee and supported the House position. It is also important to recognize that Senator Diane Feinstein strongly endorsed this project with her colleagues on the Senate Appropriations Committee.

We also wish to recognize the efforts of our own Mayor and City Council members in supporting staff in the effort. In particular, Councilmember Fargo was instrumental in convincing congressional staff of the importance of the project and the need for federal funding.

The next step will be to meet with EPA to ensure that the project assistance is provided in a timely manner. In addition, discussions have also begun to seek additional funding for future Combined Sewer Project elements.

ENVIRONMENTAL DETERMINATION

Environmental review is not required as no action is being taken as a result of this report.

FINANCIAL CONSIDERATIONS

There are no financial implications as a result of this report. The federal funding will be used to underwrite the ongoing Combined Sewer improvement effort.

POLICY CONSIDERATIONS

The City Council has encouraged staff to seek external funding for Combined Sewer Improvement Project to help offset costs to ratepayers.

MBE/WBE

There are no services or supplies being purchased as a direct result of this report.

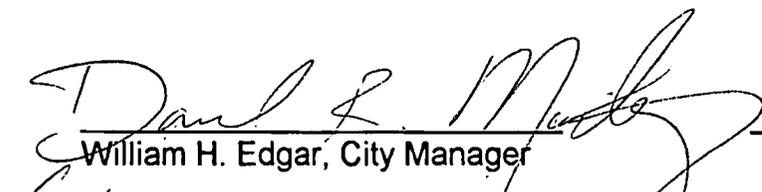
Respectfully submitted,



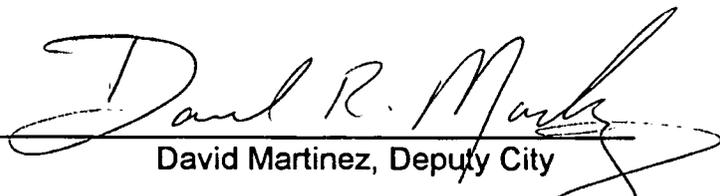
Jim Sequeira, Director of Utilities

APPROVED:

APPROVED:

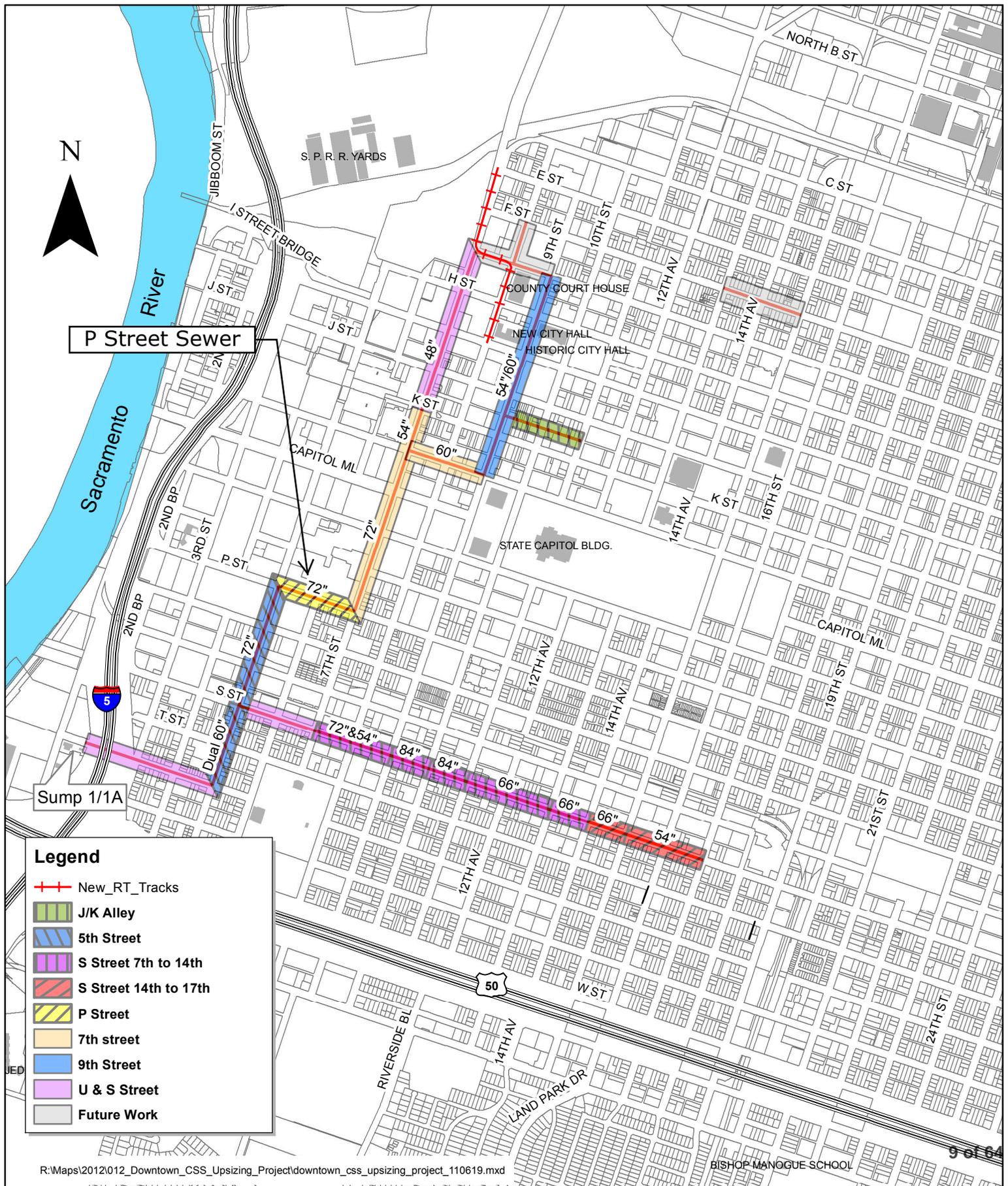


William H. Edgar, City Manager
BR



David Martinez, Deputy City

DOWNTOWN COMBINED SEWERS UPSIZING PROJECT



Legend

- + + New_RT_Tracks
- J/K Alley
- 5th Street
- S Street 7th to 14th
- S Street 14th to 17th
- P Street
- 7th street
- 9th Street
- U & S Street
- Future Work

RESOLUTION NO.

Adopted by the Sacramento City Council

RATIFYING APPROVAL OF ASSISTANCE AGREEMENT AND INCREASING REVENUE AND EXPENDITURE BUDGET FOR THE WASTEWATER GRANT FUND (6206) IN THE P STREET SEWER IMPROVEMENTS 5TH TO 7TH STREET PROJECT(X14010000)

BACKGROUND

- A. Since 1998, the Department of Utilities has applied for and received appropriations from the United States Environmental Protection Agency, Region 9 (EPA) for improvements in the City's Combined Sewer System.
- B. The Fiscal Year (FY) 2008 Consolidated Appropriations Act included Special Appropriations Act Project grants identified in the State and Tribal Assistance Grants account of the EPA to be used for water, wastewater, and groundwater infrastructure projects, including the Department of Utilities' Downtown Sacramento Combined Sewer Improvement project, which includes the Downtown Sewer Upsizing Program (DSUP). The Department of Utilities was required to submit a project for approval by EPA.
- C. On July 13, 2011, the City of Sacramento Department of Utilities submitted the P Street Sewer Improvements 5th to 7th Street project, a component of the DSUP to the EPA for approval. The City received a grant award from the EPA on August 22, 2012 for the Project. The grant agreement allows the City to receive a maximum of \$485,000 in grant funding, but no more than 48.5 percent of the cost of the project. The local match will be met through existing available funding in the project.
- D. On September 5, 2012, the grant agreement was signed on behalf of the City Manager because the EPA required the City's approval within 21 days after receiving the agreement.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

- Section 1. The City Council ratifies the City's approval, effective September 5, 2012, of Assistance Agreement No XP00T78001 with the EPA for federal grant funding in the amount of up to \$485,000.
- Section 2. The City Manager or City Manager's designee is authorized to increase the revenue and expenditure budgets in the Wastewater Grant Reimbursement Fund (Fund 6206) for the P Street Sewer Improvements 5th to 7th Street project (X14010000) to account for the EPA grant amount of \$485,000.
- Section 3. The City Manager or the City Manager's designee is authorized to submit invoices for the grant amount identified in Section 2.

Section 4. The Assistance Agreement described in Section 1 is attached as Exhibit A and made a part of this Resolution.

Exhibit A: Assistance Agreement

EIR Addendum – Findings – City Council Resolution

RESOLUTION NO. 2013-

Adopted by the Sacramento City Council

ADOPTING ADDENDUM TO ENVIRONMENTAL IMPACT REPORT, RE-ADOPTING FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING MITIGATION MONITORING PLAN FOR THE P STREET SEWER IMPROVEMENTS 5TH TO 7TH STREET PROJECT

BACKGROUND

A. On June 11, 2013, the City Council conducted a public meeting and received and considered evidence concerning the P Street Sewer Improvements 5th to 7th Street Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council finds as follows:

- A. On March 11, 1997, pursuant to the California Environmental Quality Act (Public Resources Code §21000 *et seq.* ("CEQA"), the CEQA Guidelines (14 California Code of Regulations §15000 *et seq.*), and the City of Sacramento environmental guidelines, the City Council certified an environmental impact report (EIR) and, having reviewed and considered the information contained in the EIR, adopted the findings of fact and statement of overriding considerations, adopted a mitigation monitoring plan, and approved the City of Sacramento Combined Sewer System Rehabilitation and Improvement Plan (Project).
- B. The P Street Sewer Improvements 5th to 7th Street Project (Project Modification) proposes to modify the previously approved Project by replacing deteriorated portions of the Combined Sewer System (CSS), add in-line storage to reduce flooding in the surrounding and upstream portions of the CSS, and continue the Downtown Sewer Upsizing Project, a major component of the long-term CSS Improvement Program. This program is mandated by the City's National Pollution Discharge Elimination System permit, which regulates the City's operation of the CSS.
- C. The initial study on the Project Modification determined that the proposed changes to the original Project did not require the preparation of a subsequent EIR. An addendum to the previously certified EIR was then prepared to address the modification to the Project.

Section 2. The City Council has reviewed and considered the information contained in the previously certified EIR for the Project, the previously adopted findings of fact and statement of overriding considerations, the addendum, and all oral and documentary evidence received during the public meeting on the Project Modification. The City Council finds that the previously certified EIR and the addendum constitute an adequate, accurate, objective, and complete review of the proposed Project Modification and finds that no additional environmental review is required based on the reasons set forth below:

- A. No substantial changes are proposed by the Project Modification that will require major revisions of the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- B. No substantial changes have occurred with respect to the circumstances under which the Project Modification will be undertaken which will require major revisions to the previously certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- C. No new information of substantial importance has been found that shows any of the following:
 - 1. The Project Modification will have one or more significant effects not discussed in the previously certified EIR;
 - 2. Significant effects previously examined will be substantially more severe than shown in the previously certified EIR;
 - 3. Mitigation measures previously found to be infeasible would in fact be feasible and would substantially reduce one or more significant effects of the Project Modification; or
 - 4. Mitigation measures which are considerably different from those analyzed in the previously certified EIR would substantially reduce one or more significant effects on the environment.

Section 3. Based on its review of the previously certified EIR for the Project, the previously adopted findings of fact and statement of overriding considerations, the addendum, and all oral and documentary evidence received during the public meeting on the Project Modification, the City Council finds that the EIR and addendum reflect the City Council's independent judgment and analysis, adopts the addendum for the Project Modification, and readopts the findings of fact and statement of overriding considerations.

Section 4. The mitigation monitoring plan for the Project is adopted for the Project Modification, and the mitigation measures shall be implemented and monitored as set forth in the plan, based on the following findings of fact:

- A. The mitigation monitoring plan has been adopted and implemented as part of the Project;
- B. The addendum to the EIR does not include any new mitigation measures, and has not eliminated or modified any of the mitigation measures included in the mitigation monitoring plan;
- C. The mitigation monitoring plan meets the requirements of CEQA Section 21081.6 and the CEQA Guidelines section 15091.

Section 5. Upon approval of the Project Modification, the City Manager shall file or cause to be filed a Notice of Determination with the Sacramento County Clerk and, if the project requires a discretionary approval from any state agency, with the State Office of Planning and Research, pursuant to section 21152(a) of the Public Resources Code and the State EIR Guidelines adopted pursuant thereto.

Section 6. Pursuant to Guidelines section 15091(e), the documents and other materials that constitute the record of proceedings upon which the City Council has based its decision are located in and may be obtained from, the Office of the City Clerk at 915 I Street, Sacramento, California. The City Clerk is the custodian of records for all matters before the City Council.

Section 7. Exhibit A is made a part of this Resolution.

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Exhibit A: Resolution No. 97-123, including Findings of Fact and Statement of Overriding Considerations and Mitigation Monitoring Plan

RESOLUTION NO. 97-123

ADOPTED BY THE SACRAMENTO CITY COUNCIL

MAR 11 1997

ON DATE OF _____

**CERTIFICATION OF THE COMBINED SEWER SYSTEM ENVIRONMENTAL
IMPACT REPORT, ADOPTION OF THE FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTION OF THE
MITIGATION MONITORING PLAN (PN: XM41), TRANSFER FUNDS, AND
ADOPTION OF SPECIFICATIONS AND AWARD OF PROCUREMENT
CONTRACTS FOR SUMP 1/1A, PIONEER RESERVOIR PROJECT (PN: XM23)**

The City Council the City of Sacramento does hereby find, determine, and resolve as follows:

1. The City Council finds that the Final Environmental Impact Report (herein FEIR) for the proposed Combined Sewer System Rehabilitation and Improvement Plan which consists of the Draft Environmental Impact Report and Final Environmental Impact Report, has been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the Sacramento Local Environmental Procedures.
2. The City Council certifies that the FEIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines, and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective, and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines, and the Sacramento Local Environmental Procedures.
3. The City Council certifies that the FEIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.

FOR CITY CLERK USE ONLY

RESOLUTION NO. 97-123
DATE ADOPTED: MAR 11 1997

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4. The City Council hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Plan to require all reasonably feasible mitigation measures be implemented.

5. Funds in the amount of \$400,000 are transferred from the Combined Sewer System Reserve to the Sump 1/1A, Pioneer Reservoir Project as follows:

414-500-XD42-4414:	(\$100,000)
414-500-XM23-4630:	\$100,000
425-500-XD42-4414:	(\$300,000)
425-500-XM23-4630:	\$300,000

6. Adoption of Specifications and Award of:

A. Bid No. 1733, Engine Powered Standby Generator, the total amount of \$196,937.87 to Tenco Tractor, Inc.

B. Bid No. 1734, Electrical Switchgear, Motor Control Center, and Variable Frequency Drive Equipment, in the total amount of \$190,863.16 to Platt Electric Supply, Inc.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. 97-123
DATE ADOPTED: MAR 11 1997

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CITY OF SACRAMENTO **SEWER**

COMBINED SEWER SYS RESERVE

PROJECT#:	XD42
FY Initiated:	94/95

Location
City Wide

Council District:
 Citywide
 1
 2
 3
 4
 5
 6
 7
 8

Neighborhood Area:
 Citywide
 NA1
 NA2
 NA3
 NA4

Planning Area:
 N/A
 Citywide
 PA1
 PA2
 PA3
 PA4
 PA5
 PA6
 PA7
 PA8
 PA9
 PA10
 PA11

Project Description
Reserve to accumulate resources for the combined sewer system rehabilitation.

Project Objectives
To accumulate funding from current resources in excess of operations and capital improvement requirements in order to minimize future rate increases for the combined sewer system rehabilitation.

Existing Situation
The City faces substantial outlays in future years for capital improvement construction on the combined sewer system. Appropriations for that construction are now being accumulated in this project.

Operating Budget Impact
None

Amended	Fund Source	Budget through 6/96	Estimated Balance 6/96	Five Year Funding				
				1996-97	1997-98	1998-99	1999-00	2000-01
	Sewer	1,747,423	1,747,423	0	0	0	0	0
	Drainage	9,708,591	9,708,591	0	0	0	0	0
07/02/96	Drainage	0	0	-210,000	0	0	0	0
07/02/96	Sewer	0	0	-70,000	0	0	0	0
07/02/96	Sewer	0	0	-200,000	0	0	0	0
07/02/96	Drainage	0	0	-600,000	0	0	0	0
07/02/96	Sewer	0	0	-68,487	0	0	0	0
07/02/96	Drainage	0	0	-205,459	0	0	0	0
08/13/96	Drainage	0	0	-45,000	0	0	0	0
08/13/96	Sewer	0	0	-15,000	0	0	0	0
07/12/96	Sewer	0	0	-27,500	0	0	0	0
07/12/96	Drainage	0	0	-82,500	0	0	0	0
07/12/96	Drainage	0	0	-15,000	0	0	0	0
08/22/96	Sewer	0	0	-6,250	0	0	0	0
08/22/96	Drainage	0	0	-18,750	0	0	0	0
09/24/96	Sewer	0	0	-44,750	0	0	0	0
09/24/96	Drainage	0	0	-134,250	0	0	0	0
1/28/97	Sewer	0	0	-303,625	0	0	0	0
1/28/97	Drainage	0	0	-910,875	0	0	0	0
2/04/97	Sewer	0	0	-260,000	0	0	0	0
2/04/97	Drainage	0	0	-780,000	0	0	0	0
2/04/97	Sewer	0	0	-125,000	0	0	0	0
2/04/97	Drainage	0	0	-375,000	0	0	0	0
2/18/97	Sewer	0	0	-60,000	0	0	0	0



1996-2001 CAPITAL IMPROVEMENT PROGRAM

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CITY OF SACRAMENTO			SEWER							
2/18/97	Drainage		0	0	-180,000	0	0	0	0	0
3/11/97	Sewer		0	0	-100,000	0	0	0	0	0
3/11/97	Drainage		0	0	-300,000	0	0	0	0	0
2/11/97	Drainage		0	0	10,000,000	0	0	0	0	0
TOTAL			11,456,014	11,456,014	4,862,554	0	0	0	0	0



1996-2001 CAPITAL IMPROVEMENT PROGRAM

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COMBINED SEWER SYS RESERVE

Project #: XD42

Additional Project Comments

Transferred to XD41: Sewer - 70,000; Drainage - 210,000
Transferred to XM23: Sewer - 200,000; Drainage - 600,000
Transferred to TM61: Sewer - 68,847; Drainage - 205,459
Transferred to XM04: Sewer - 27,500; Drainage - 82,500
Transferred to XM05: Sewer - 15,000; Drainage - 45,000
Transferred to WC61: Sewer - 0; Drainage - 15,000
Transferred to XD43: Sewer - 6,250; Drainage - 18,750 8/22/96
Transferred to XM07: Sewer - 44,750; Drainage - 134,250, 9/24/96
Transferred to XD91: Sewer - 303,625; Drainage - 910,875; approved 1/28/97
Transferred to XM23: Sewer - 49,234; Drainage - 147,703, 1/14/97
Transferred to XM24: Sewer - 260,000; Drainage - 780,000, approved 2/4/97
Transferred to XD41: Sewer - 125,000; Drainage - 375,000 approved 2/4/97
Transferred to XM23: Sewer - 60,000; Drainage - 180,000; approved 2/18/97
Transferred from fund balance: Drainage - 10,000,000; approved 2/11/97 (midyear review)
Transferred to XM23: Sewer - 100,000; Drainage - 300,000; approved 3/11/97



1996-2001 CAPITAL IMPROVEMENT PROGRAM

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CITY OF SACRAMENTO

SEWER

SUMP 1/1A, PIONEER RESERV

PROJECT#:	XM23
FY Initiated:	96/97

Location

Sump 1/1a, Pioneer Reservoir, U & Front St.

Council District:

Citywide 1 2 3 4 5 6 7 8

Neighborhood Area:

Citywide NA1 NA2 NA3 NA4

Planning Area:

N / A Citywide PA1 PA2 PA3 PA4 PA5 PA6 PA7 PA8 PA9 PA10 PA11

Project Description

Provide engineering design services for rehabilitation and improvement of Sump 1, Sump 1A, and Pioneer Reservoir. Design will include the construction of a model of the pumping station to determine the optimum size of the pumps.

Project Objectives

To complete rehabilitation and improvements to address outflows from the combined sewer system.

Existing Situation

In June 1990 the Regional Water Quality Control Board issued a Cease and Desist Order requiring the City to eliminate outflows from the Combined Sewer System. A preliminary design report recommended specific rehabilitation and improvement items for Sump 1/1A and Pioneer Reservoir.

Operating Budget Impact

None

Amended	Fund Source	Budget through 6/96	Estimated Balance 6/96	Five Year Funding				
				1996-97	1997-98	1998-99	1999-00	2000-01
07/02/97	Sewer	0	0	200,000	0	0	0	0
07/02/97	Drainage	0	0	600,000	0	0	0	0
02/18/97	Sewer	0	0	60,000	0	0	0	0
02/18/97	Drainage	0	0	180,000	0	0	0	0
01/14/97	Sewer	0	0	49,234	0	0	0	0
01/14/97	Drainage	0	0	147,703	0	0	0	0
03/11/97	Sewer	0	0	100,000	0	0	0	0
03/11/97	Drainage	0	0	300,000	0	0	0	0
	TOTAL	0	0	1,636,937	0	0	0	0



1996-2001 CAPITAL IMPROVEMENT PROGRAM

Attachment 1

**CEQA STATEMENT OF FINDINGS OF FACT
AND
STATEMENT OF OVERRIDING CONSIDERATIONS**

FOR

COMBINED SEWER SYSTEM EIR (XD41)
(State Clearinghouse Number 96082013)

Prepared By:

City of Sacramento Planning Services Division,
Environmental Section
March 11, 1997

1

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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SACRAMENTO
CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE
PROPOSED COMBINED SEWER SYSTEM PROJECT

The City Council of the City of Sacramento does hereby find, determine, and resolve as follows:

I. CEQA FINDINGS

1. The City Council finds that the Environmental Impact Report for the Proposed Combined Sewer System Project (herein EIR) which consists of the Draft Environmental Impact Report and Final EIR Response to Comments have been completed in accordance with the requirements of the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
2. The City Council certifies that the EIR was prepared, published, circulated and reviewed in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures, and constitutes an adequate, accurate, objective and complete Final Environmental Impact Report in accordance with the requirements of CEQA, the State CEQA Guidelines and the Sacramento Local Environmental Procedures.
3. The City Council certifies that the EIR has been presented to it and that the City Council has reviewed it and considered the information contained therein prior to acting on the proposed project.
4. The City Council hereby adopts the attached Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring Program to require all feasible mitigation measures be implemented.

II. PROCEDURAL FINDINGS

1. The City of Sacramento caused an Environmental Impact Report ("EIR") on the Project to be prepared pursuant to the California Environmental Quality Act, Public Resources Code, Section 21000 et seq. (CEQA), the CEQA Guidelines, Code of California Regulations, Title XIV, Section 15000 et seq., and the City of Sacramento environmental guidelines.
2. A Notice of Preparation of the draft EIR was filed with the Office of Planning and Research on August 6, 1996.
3. A Notice of Completion (NOC) and copies of the draft EIR were distributed to the State Clearinghouse on November 8, 1996, to those public agencies which have jurisdiction by law with respect to the Project and to other interested parties and agencies. The comments of such persons and agencies were sought.
4. An official forty-five (45) day public review period for the Draft EIR was established by the State Clearinghouse. It began on November 8, 1996 and ended on December 23, 1997.
5. A Letter of Availability was distributed to all responsible and trustee agencies and interested groups, organizations, and individuals on November 8, 1996. The Letter of Availability stated that the City of Sacramento had completed the Draft EIR and that copies were available at the City of Sacramento,

Exhibit A
Resolution No. 97-123 and Mitigation Monitoring Plan

Department of Planning and Development, Environmental Services Division, 1231 I Street, Sacramento, California 95814. The letter also indicated that the official forty-five day public review period for the Draft EIR would end on December 23, 1996.

6. Following closure of the public comment period, the Draft EIR was supplemented to incorporate comments received and the City's responses to said comments.
7. Following notice duly and regularly given as required by law, and all interested parties expressing a desire to comment thereon or object thereto having been heard, the EIR and comments and responses thereto having been considered, the City Council makes the following determinations:
 - A. The EIR consists of the Draft EIR and Final EIR Responses to Comments.
 - B. The EIR was prepared and completed in compliance with CEQA.
8. The following information is incorporated by reference and made part of the record supporting these findings:
 - A. The Draft EIR and Final EIR and all documents relied upon or incorporated by reference including:
 - City of Sacramento General Plan, City of Sacramento, January, 1988
 - Draft Environmental Impact Report City of Sacramento General Plan Update, City of Sacramento, March, 1987
 - Land Use Planning Policy Within the 100-Year Floodplain in the City and County of Sacramento Final EIR (M89-054), City of Sacramento, February 6, 1990
 - Findings of Fact/Statement of Overriding Considerations for the Land Use Planning Policy Within the 100-Year Floodplain in the City and County of Sacramento, City of Sacramento, February 6, 1990
 - Findings of Fact and Statement of Overriding Considerations for the Adoption of the Sacramento General Plan Update, City of Sacramento, 1988
 - Central City Community Plan, City of Sacramento, May 15, 1980.
 - Design and Procedures Manual and Improvement Standards, City of Sacramento, Department of Public Works, September 1, 1990.
 - Zoning Ordinance, City of Sacramento, Revised July 1994.
 - B. The Mitigation Monitoring Plan dated March 1997.
 - C. Testimony, documentary evidence and all correspondence submitted or delivered to the City in connection with the City Council hearing on this project and associated EIR.

Exhibit A
Resolution No. 97-123 and Mitigation Monitoring Plan

- D. All staff reports, memoranda, maps, letters, minutes of meetings and other documents relied upon or prepared by City staff relating to the project including but not limited to City of Sacramento General Plan and the draft and final Environmental Impact Report for the City of Sacramento General Plan Update.

**FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS REGARDING
THE ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED COMBINED SEWER
SYSTEM.**

The Environmental Impact Report prepared in compliance with the California Environmental Quality Act, evaluates the potentially significant and significant adverse environmental impacts which could result from adoption of the project or alternatives to the project.

Because the EIR indicates the implementation of the project (or project alternatives) would result in certain unavoidable adverse impacts, the City is required under CEQA, and the State and City guidelines adopted pursuant thereto, to make certain findings with respect to these impacts. The required findings appear in the following sections of this document. This document lists all identified potentially significant and significant impacts of the project. Each of the potentially significant or significant impacts found to be unavoidable is considered acceptable by the City Council based on a determination that the benefits of the project (listed in the Statement of Overriding Considerations, section VII) outweigh the risks of the potentially significant environmental effects of the project.

I. IMPACTS AND MITIGATION MEASURES

A. SIGNIFICANT IMPACTS WHICH CAN BE AVOIDED

Finding - As authorized by Public Resources Code Section 21081 and Title 14, California Code of Regulations, Sections 15091, 15092, and 15093, the City finds that changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant environmental impacts listed below, as identified in the EIR.

These findings are supported by substantial evidence in the record of proceedings before the City as stated below.

1. Cultural Resources (7.4-1 Subsurface Prehistoric Resources (Phase 1))

a. Significant Impact

1. Implementation of Phase 1 of the CSS Plan could result in the discovery of unknown subsurface prehistoric resources or portions of known prehistoric resources during project excavation. Although the likelihood for the occurrence of subsurface resources is quite low, the possibility for such a discovery does exist. Cultural resources exposed during construction, excavation, or related project activities could be damaged, destroyed, or removed from their cultural context.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measure:

Mitigation Measure 7.4-1

1. An archeological monitor shall be retained to oversee any subsurface work occurring in the immediate vicinity of the six recorded prehistoric sites. A confidential map with the locations of these sites will be on file with the Project Manager or other appropriate individual, who will arrange to have the monitor present for the areas deemed sensitive. The areas monitored as well as the remainder of the construction shall be subject to the conditions below.

In the event of the discovery of any subsurface archeological artifact, feature or deposit during construction activities, work within 100 feet of the find shall be halted, and an archeologist will be contacted for an in-field evaluation.

If the resource is determined to be significant, an appropriate plan for resource preservation or site excavation must be developed and implemented.

If bone is found that appears to be human, work within 100 feet of the find shall be halted, and the Sacramento County Coroner must be contacted. If the remains are determined to be of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC shall determine the "most likely descendant", who will work to develop a plan for the area of the finding. Construction work shall remain halted in the vicinity of the discovery until the plan can be implemented.

2. Cultural Resources (7.4-6 Subsurface Prehistoric Resources (Phase 2))

a. Significant Impact

1. Implementation of Phase 2 could result in the discovery of unknown subsurface prehistoric resources or portions of the known prehistoric resources during project excavation for underground storage facilities at UCDCMC, UPR or other sites not identified. Although the likelihood for the occurrence of subsurface resources is quite low, the possibility for such a discovery does exist. Cultural resources exposed during construction, excavation, or other related project activities could be damaged, destroyed, or removed from their cultural context.

b. Facts in Support of Finding

The significant effect listed above will be reduced to a less than significant level with the following mitigation measures:

1. Implement Mitigation Measure 7.4-1.

B. SIGNIFICANT IMPACTS WHICH CANNOT BE AVOIDED

Finding - The City finds that, where feasible, changes or alterations have been required in, or incorporated into, the Project which reduce the significant environmental impacts listed below as identified in the EIR. However, specific economic, social, or other considerations make infeasible mitigation measures or project alternatives to reduce the following impacts to a less-than-significant level. This finding is supported by evidence in the record of the proceeding before the City including the draft and final EIR prepared for this project and the General Plan for the City of Sacramento and the associated EIR.

1. Cultural Resources (7.4-5 Historic Structure--Sewers (Phase 1 and Phase 2))

a. Significant Impact

1. Implementation of Phase 1 would result in the replacement of the sewer system for public health and safety reasons (see Project Description, page 4-17 and 4-27). Since the sewers are between 80 and 100 years old, exceeding the 45 year criterion established by the SHPO, they are potentially eligible for the National Register of Historic Places under criterion A, as they "are associated with events that have made a significant contribution to the broad patterns of our history," so that replacement of the sewers would be considered a significant impact. The oldest sewers are located in the downtown area and most of the City's original sewers were constructed of brick. As mentioned earlier, the achievements of the nineteenth century created sewer systems that are still in use today in downtown Sacramento. The invention of large glazed drains, brick sewers and cast iron pipes made possible the conveyance and disposal of sewage. Similarly, under CEQA and California Register criteria, these resources could be considered an important resource under criterion C, as potentially the last surviving example of their kind.

b. Facts in Support of Finding

The impacts will be reduced to the extent feasible with the following mitigation measures identified in the EIR and incorporated into the Project. The mitigation measures will reduce the magnitude of the impacts, but would not make the impacts less than significant.

1. The City of Sacramento shall document the history of the construction of the sewer system, and record the physical extent, condition and appearance of the extant portions of the early system to determine its historical significance.

2. Cultural Resources (7.4-8 Cumulative Loss of Cultural Resources)

a. Significant Impact

1. As urban development increases throughout the Sacramento General Plan Update (SGPU) Area, prehistoric sites and artifacts may be unearthed and damaged or destroyed. Historical sites and structures may be destroyed to make room for new development. Even if cultural resources are adequately recorded, removal and/or destruction from their place of origin reduces their value as resources. As stated above, the extent of cultural resources in the project area is not fully known, and damage or destruction of such resources can be mitigated on a project-specific basis. However, any loss of cultural resources associated with the proposed project would contribute to a region-wide impact that cannot be remedied.

b. Facts in Support of Finding

The impacts will be reduced to the extent feasible with the following mitigation measures identified in the EIR and incorporated into the Project. The mitigation measures will reduce the magnitude of the impacts, but would not make the impacts less than significant.

1. Implement Mitigation Measure 7.4-1.

3. Water Quality (7.2-5 Cumulative mercury loading in Sacramento River (Phase 1 and Phase 2))

a. Significant Impact

1. Mercury levels and sources in the Sacramento River Watershed have been under study by a number of researchers in recent years. This research has indicated that primary sources of mercury into the Sacramento River include inorganic mercury deposits introduced through gold mining activities in the upper watershed, natural mercury (cinnabar) deposits in the Coast Ranges, mercury in sediments trapped behind dams, mercury in sediments in the stream and river bottoms, and atmospheric deposition. Discharges associated with urban development (e.g., upstream wastewater treatment plants and

Resolution No. 97-123 and Mitigation Monitoring Plan

stormwater runoff) also contribute to mercury levels in the Sacramento River.

Future urban development within the Sacramento River Watershed could continue to contribute to mercury levels in the Sacramento River. This would continue to adversely affect receiving water quality and limit the River's ability to support its designated beneficial uses, which include municipal, agriculture, recreation, and fish and wildlife habitat.

As described in Impact 7.2-4, mercury-related impacts associated with implementation of the proposed project or its alternatives were found to be less than significant because mercury exceedances occur under existing conditions. It was also determined that none of the alternatives could independently nor in combination achieve an overall reduction in mercury levels in the Sacramento River such that the water quality objective would no longer be exceeded, given the diffuse and varied nature of the sources of mercury in the Sacramento River Watershed.

Regional efforts to address Sacramento River water quality problems include the establishment of the Sacramento River Toxic Pollutant Control Program (Program). A work plan was submitted by the SRCSD to the EPA and was approved in September 1996. The plan describes a regional approach to identifying the causes, effects, and extent of pollution within the Sacramento River, and to formulate an implementable program to prevent, reduce, and eliminate the pollution. Mercury was specifically identified in the work plan as one of several pollutants that would be studied and managed under the program.¹ A number of key federal and State and local public agencies (including the City of Sacramento), private businesses and industries, water districts, and agricultural stakeholders are participating in the Program through establishment of a Coordinated Resource Management and Planning (CRMP) Group. The CRMP Group will address major policy-level issues regarding water quality management in the Sacramento River basin.

As stated above, the CSS would be required to comply with any WDRs issued by the CVRWQCB and the joint NPDES Municipal Stormwater Permit (in the case of the Sewer Separation Alternative), thus ensuring that the CSS's contribution to mercury in the Sacramento River would not increase nor exacerbate the mercury problem. Regulatory requirements similar to those applicable to the

CSS also apply to many other jurisdictions and operations within the Sacramento River Watershed.

Even with implementation of specific mercury-control measures, if any, that could be developed by the City or by the Sacramento River Toxic Pollutant Control Program, the City cannot guarantee that other sources of mercury associated with existing or planned development in other areas in the Sacramento River Watershed would not increase or continue to contribute to mercury levels in the Sacramento River because compliance falls within other jurisdictions to enforce and monitor.

b. Facts in Support of Finding

There are no feasible mitigation measures that will reduce the magnitude of the impacts described above.

II. ALTERNATIVES

CEQA mandates that every EIR evaluate a no-project alternative. Alternatives provide a basis of comparison to the Proposed Project in terms of beneficial, significant, and unavoidable impacts. This comparative analysis is used to determine the most feasible for implementation.

1. **No Project Alternative**

The No Project Alternative does not include the outflow, local flood or CSO control improvements identified in the CSS Improvement and Rehabilitation Plan, dated July 1995. Under this alternative, the CSS would remain as presently functioning. Any changes to the CSS are purely rehabilitative in nature and consist solely of the rehabilitation items identified in the CSS Plan. This alternative will be the baseline by which the proposed project and other alternatives are measured. It is assumed that implementation of this alternative would result in a permanent CDO and may cause a moratorium on new development within the CSS service area and possibly major fines.

Finding

- A. Selection of the "No-Project" Alternative would not meet the following project objectives:
1. Reduce or eliminate outflows that are considered a possible threat to public health.
 2. Reduce and improve the quality of the CSS overflows to the Sacramento River where they are considered a potential threat to the beneficial uses of the receiving waters and the "fishable/swimming" goals of the Federal Clean Water Act.
 3. Comply with the requirements of the U.S. Environmental Protection Agency's (EPA) "Combined System Overflow Control Policy", "Nine Minimum Controls", the National Pollution Discharge Elimination System (NPDES) Permit, and the Clean Water Act.
 4. Reduce neighborhood street flooding problems where it is economically feasible to do so.
- B. Selection of the "No-Project" Alternative would result in a reinstatement of the Cease and Desist Order from the Regional Water Quality Control Board.
- C. Selection of the "No-Project" alternative would not attain the Sacramento General Plan's goals and policies related to improving the overall quality of life in Sacramento.

- D. Selection of the "No-Project" Alternative would not fulfill Policy 11 of the General Plan related to the provision of adequate public services in existing developed areas.
- E. Selection of the "No Project" Alternative would not fulfill a mitigation measure in the City's General Plan EIR which requires the reconstruction of local drainage facilities.

2. Sewer Separation Alternative (Alternative B)

This alternative would include the construction of a new sanitary sewer system in the CSS service area and conversion of the existing CSS pipelines to a storm drainage system conveying only storm water runoff. It should be noted that the new sanitary sewer system does not meet the project objective of providing an improved level of local flood control for the existing CSS area. The Separate Sanitary Sewer Alternative includes only a minor flood control upgrade beyond the capacity of the existing system. The existing system provides flood control to a 2-year event in most areas. Under this alternative, CSOs are reduced or eliminated and flood control is slightly improved by removing the sewage portion of flow from the conveyance system. This alternative also reduces outflows.

Finding

- A. Selection of the Sewer Separation Alternative would not involve major capacity upgrades to the existing CSS pipelines; therefore, flood control is only slightly improved over the existing system.
- B. Selection of the Sewer Separation Alternative would result in all stormwater being discharged to the Sacramento River without disinfection.

III. STATEMENT OF OVERRIDING CONSIDERATIONS

Notwithstanding disclosure of the significant impacts and the accompanying mitigation, the City has determined pursuant to Section 15093 of the CEQA Guidelines that the benefits of the project as described in the EIR, and as conditioned by the Council, outweigh the adverse impacts, and the proposed project shall be approved.

With reference to the above findings and in recognition of those facts which are included in the record, the City has determined that the proposed project would contribute to environmental impacts which are considered significant and adverse, as disclosed in the EIR prepared for the proposed project.

The City has examined a range of reasonable alternatives to the project. Based on this examination, the City has determined that none of these alternatives meets the project objectives.

The City specifically finds, and therefore makes this Statement of Overriding Considerations, that all significant effects on the environment of the Proposed Project have been eliminated or substantially lessened where feasible. Furthermore, the City finds and determines has determined that any remaining significant effects on the environment found to be unavoidable are acceptable due to the overriding considerations described below:

Exhibit A
Resolution No. 97-123 and Mitigation Monitoring Plan

- A. Implementation of the Proposed Project will attain the following important objectives:
1. Reduce or eliminate outflows that are considered a possible threat to public health.
 2. Reduce and improve the quality of the CSS overflows to the Sacramento River where they are considered a potential threat to the beneficial uses of the receiving waters and the "fishable/swimming" goals of the Federal Clean Water Act.
 3. Comply with the requirements of the U.S. Environmental Protection Agency's (EPA) "Combined System Overflow Control Policy", "Nine Minimum Controls", the National Pollution Discharge Elimination System (NPDES) Permit, and the Clean Water Act.
 4. Reduce neighborhood street flooding problems where it is economically feasible to do so.
- B. Implementation of the Proposed Project would comply with the Regional Water Quality Control Board's requirements for rescinding the Cease and Desist Order.
- C. Implementation of the Proposed Project will attain the Sacramento General Plan's goals and policies related to improving the overall quality of life in Sacramento.
- D. Implementation of the Proposed Project will fulfill Policy 11 of the General Plan related to the provision of adequate public services in existing developed areas.
- E. Implementation of the Proposed Project will fulfill a mitigation measure in the City's General Plan EIR which requires the reconstruction of local drainage facilities.

Attachment 2

MITIGATION MONITORING PLAN
FOR
COMBINED SEWER SYSTEM PROJECT
ENVIRONMENTAL IMPACT REPORT

Prepared By:
City of Sacramento Planning Services Division

Date:
March 11, 1997

Adopted By:
City of Sacramento City Council

Date:

Attest:

City Clerk

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**CITY OF SACRAMENTO
MITIGATION MONITORING PLAN**

This Mitigation Monitoring Plan (Plan) has been required by and prepared for the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 300, Sacramento, CA 95814, (916) 264-7600, pursuant to CEQA Guidelines Section 21081.

SECTION 1: PROJECT IDENTIFICATION

Project Name and/or File Number: Combined Sewer System Project (XD41)

Applicant - Name: City of Sacramento
Utilities Department

Address: 5770 Freeport Boulevard, Ste. 100
Sacramento, CA 95822

Project Location / Project Description:

The CSS Rehabilitation and Improvement Plan is divided into two phases. Phase 1 includes specific modifications to existing Pump Station 1/1A, Pump Station 2, Pioneer Reservoir and rehabilitation and replacement of portions of the existing underground collection/piping system. Phase 2, while more programmatic in its definition, would involve designing and constructing a combination of facilities including underground storage structures, upsized sewers and sewer replacement. Rehabilitation and replacement of the CSS system would continue during Phase 2.

The primary objective of Phase 1 is to implement project-specific improvements and rehabilitation to the CSS that would assure operating reliability and reduce street flooding in the CSS service area. These improvements would be implemented over the first five years of the Plan. This initial phase involves the two existing Pump Stations (stations 1/1A, 2) since the Pumping Stations are responsible for pumping all CSS wastewater for treatment and disposal. Without the operating reliability of the Pumping Stations, the system could fail and result in flooding and severe outflows. However, increasing Pump Station capacities alone cannot address these issues. It is also necessary to modify Pioneer Reservoir, which would decrease the number and volume of CSOs to the Sacramento River. In addition, since the capacity of the system would be increased, the underground piping system must also be improved. Portions of the piping system are over 100 years old and have structural defects

including cracked pipes, corrosion, deteriorated and missing grout at pipe joints, and root intrusion that can clog sewers and limit hydraulic capacity.

The objective of Phase 2 is to design and construct facilities to alleviate flooding and outflows to local areas. At this time, the combination of facilities needed is unknown. Therefore, these components are evaluated at a more general, programmatic level than Phase 1.

SECTION 2: GENERAL INFORMATION

The project as approved includes the mitigation measures adopted as part of the Findings of Fact for this Project. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Environmental Impact Report (EIR) for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the project applicant.

SECTION 3: MITIGATION MONITORING PLAN

This section describes all adopted mitigation measures, identifies the entity responsible for monitoring the implementation of the measures and the procedures for such monitoring. The measures are identified in accordance with their number in the associated Draft and Final EIR to allow easy reference to the impact discussion for which the mitigation measure has been developed.

CULTURAL RESOURCES

Mitigation

7.4-1 Subsurface Prehistoric Resources (Phase 1)

An archeological monitor shall be retained to oversee any subsurface work occurring in the immediate vicinity of the six recorded prehistoric sites. A confidential map with the locations of these sites will be on file with the Project Manager or other appropriate individual, who will arrange to have the monitor present for the areas deemed sensitive. The areas monitored as well as the remainder of the construction shall be subject to the conditions below.

In the event of the discovery of any subsurface archeological artifact, feature or deposit during construction activities, work within 100 feet of the find

shall be halted, and an archeologist will be contacted for an in-field evaluation.

If the resource is determined to be significant, an appropriate plan for resource preservation or site excavation must be developed and implemented.

If bone is found that appears to be human, work within 100 feet of the find shall be halted, and the Sacramento County Coroner must be contacted. If the remains are determined to be of Native American origin, the Coroner shall notify the Native American Heritage Commission (NAHC). The NAHC shall determine the "most likely descendant", who will work to develop a plan for the area of the finding. Construction work shall remain halted in the vicinity of the discovery until the plan can be implemented.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Department of Planning and Development
The City of Sacramento, Utilities Department

Monitoring Program:

If subsurface archaeological or historical remains (including unusual amounts of bones, stones, or shells) are discovered during excavation or construction at the site, work shall stop immediately and a qualified archaeologist and a representative of the Native American Heritage Commission shall be consulted to develop, if necessary, further mitigation measures to reduce any archaeological impact to a less-than-significant level before construction continues.

Site inspections by the Utilities Department shall watch for any potential archaeological resources during site visits. A City contact person shall be notified in case of an archaeological discovery. The Utilities Department shall attach this requirement to the approved construction plans and include this measure as a random inspection item on the Special Conditions Attachment.

Mitigation

7.4-5 Historic Structure--Sewers (Phase 1 and Phase 2)

The City of Sacramento shall document the history of the construction of the sewer system, and record the physical extent, condition and appearance of the extant portions of the early system to determine its historical significance.

Entities Responsible for Ensuring Compliance:

The City of Sacramento, Utilities Department
The City of Sacramento, Planning and Development Department

Monitoring Program:

The City's Utilities Department is responsible for documenting the history of the construction of the brick sewer system. To date, the Utilities Department has developed a video of the underground brick sewer system as well as a written record of the system. This work has been conducted to comply with the State Section 106 Requirements. The final recordation of the brick sewer system, approved by the State Environmental Protection Agency, shall be filed with the City's Historic Preservation Officer in the Planning and Development Department.

Attachment 3

**BID TABULATION SHEET FOR BID NO. 1733-
ENGINE POWERED STANDBY GENERATOR**

<u>Bidders</u>	<u>Terms</u>	<u>1% Local Tax Preference</u>	<u>5% M/WBE Preference</u>	<u>Total Bid (Includes Tax on Materials Only)</u>
Tenco Tractor, Inc.	Net - 30	N/A	No	<u>\$196,937.87⁽¹⁾</u>
Sierra Power Products	Net - 30	N/A	No	<u>\$197,286.38⁽¹⁾</u>

⁽¹⁾Amount adjusted due to mathematical error.

Total Award of Contract To: Tenco Tractor, Inc.
3850 Channel Drive
West Sacramento, CA 95691

Original Estimated Cost: \$250,000.00

Using Department: Utilities

Total Bid Amount: \$196,937.87

Due Date: December 11, 1996

Total Amount of Contract: \$196,937.87 (Includes Tax on Materials Only)

<u>Total No. of Bids Solicited</u>	<u>No. of M/WBE Bids Solicited</u>	<u>No. of M/WBE Responses</u>	<u>Award to M/WBE Vendor?</u>
9	0	0	No

Exhibit A
Resolution No. 97-123 and Mitigation Monitoring Plan

**BID TABULATION SHEET FOR
BID NO. 1734 - ELECTRICAL SWITCHGEAR, MOTOR CONTROL CENTER
AND VARIABLE FREQUENCY DRIVE EQUIPMENT**

Bidder	Item No.	Sub-Total	M/WBE	1% Local Tax Preference	Prompt Payment Discount	Net Bid
TESCO Controls	All	\$262,090.00	No	<\$2620.90>	1%/10	\$259,469.10
Universal Wholesale Elec.	All	\$201,102.00	No	No	N-30	\$201,102.00
Graybar Electric	All	\$254,515.00	No	<\$2545.15>	1.5%/20 <\$3817.73>	\$248,152.12
Platt Electric Supply	All	\$177,491.00	No	<\$1774.91>	2%/10	<u>\$175,716.09</u>
Shawnee Electric	All	\$268,090.00	No	No	.5%/20 <\$1340.45>	\$266,749.55

Attachment 4

Total Award of Contract To: Platt Electric Supply
1037 West North Market Blvd.
Sacramento, CA 95834

Original Estimated Cost: \$440,000.00

Using Department: Utilities

Total Net Bid Amount: \$175,716.09

Due Date: January 8, 1997

Total Amount of Contract: \$190,863.16 (Includes Tax on Materials Only)

Total No. of Bids Solicited	No. of M/WBE Bids Solicited	No. of M/WBE Responses	Award to M/WBE Vendor?
31	18	0	No



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105



Assistance Agreement or Amendment

Enclosed is a signed Assistance Agreement or Amendment from the U.S. Environmental Protection Agency Region 9. Please review the entire document, including the terms and conditions, which set forth your legal responsibilities to EPA. For further information concerning administrative requirements, please refer to the Code of Federal Regulations and OMB Cost Circulars.

Within 21 days of receipt, please sign and date the FIRST page of the Agreement and send a scanned version of the first page to: GrantsRegion9@epa.gov. If you do not have access to a scanner, make a copy for your own records and mail the FIRST page to the following address:

U.S. EPA, Region 9
Grants Management Office, MTS-7
75 Hawthorne Street
San Francisco, CA 94105

As another option, you may fax the FIRST page to (415) 947-3556 with a cover page addressed to: Grants Management Office, MTS-7

We suggest that you make additional copies for your Project Manager, Finance/Fiscal Officer and any other personnel in your organization requiring information about the award.

If you or your staff have any questions of a programmatic nature, please contact your EPA Project Officer. Questions relating to administrative or fiscal matters should be directed to your EPA Grants Specialist. Both contacts are shown on page 1 of the award. You may also access our Region 9 website for additional information to help you manage your grant at:

<http://www.epa.gov/Region9/funding>

For information regarding payments and financial reports, please refer to the following website for the Las Vegas Finance Center:

<http://www.epa.gov/ocfo/finservices/payinfo.htm>

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		GRANT NUMBER (FAIN): 00T78001	DATE OF AWARD	
			MODIFICATION NUMBER: 0	08/10/2012	
			PROGRAM CODE: XP		
			TYPE OF ACTION New	MAILING DATE 08/17/2012	
RECIPIENT TYPE: Municipal			Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423		
RECIPIENT: City of Sacramento Dept of Utilities 1395 35th Avenue Sacramento, CA 95822 EIN: 94-6000410			PAYEE: City of Sacramento Dept of Utilities 1395 35th Avenue Sacramento, CA 95822		
PROJECT MANAGER Brett Grant 1395 35th Avenue Sacramento, CA 95822 E-Mail: bgrant@cityofsacramento.org Phone: 916-808-1413		EPA PROJECT OFFICER Loretta Vanegas 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Vanegas.Loretta@epa.gov Phone: 415-972-3433	EPA GRANT SPECIALIST Elizabeth Armour Grants Management Office, MTS-7 E-Mail: Armour.Elizabeth@epa.gov Phone: 415-947-4264		
PROJECT TITLE AND DESCRIPTION WATER INFRASTRUCTURE - Undersized Aging Brick Structures The project is for the construction and replacement of undersized aging brick structures and equipment within the City of Sacramento. The proposed project will upgrade and construct a large diameter pipeline to reduce flooding of combined sewage and increase storage. The increased storage will enable the sewer system to retain combined sewage during heavy storms, thereby decreasing the likelihood of sewer overflows in the Sacramento River. This assistance agreement provides full federal funding in the amount of \$485,000. The total approved project budget cost is \$1,000,000. Preaward costs have been approved back to 8/1/12. See Terms and Conditions.					
BUDGET PERIOD 08/01/2012 - 12/31/2014	PROJECT PERIOD 08/01/2012 - 12/31/2014	TOTAL BUDGET PERIOD COST \$1,000,000.00	TOTAL PROJECT PERIOD COST \$1,000,000.00		
NOTICE OF AWARD Based on your application dated 07/13/2011, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$485,000. EPA agrees to cost-share 48.50% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$485,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.					
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE			
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105		ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105			
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY					
Digital signature applied by EPA Award Official Denise Zvanovec - Grants Management Officer				DATE 08/10/2012	
AFFIRMATION OF AWARD BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION					
SIGNATURE 	TYPED NAME AND TITLE Dave Brent, Director Department of Utilities			DATE 8/5/12	

DCJ

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement	GRANT NUMBER (FAIN): 00T78001 MODIFICATION NUMBER: 0 PROGRAM CODE: XP	DATE OF AWARD 08/10/2012
		TYPE OF ACTION New	MAILING DATE 08/17/2012
		PAYMENT METHOD: Reimbursement	ACH# PEND
		Send Payment Request to: Las Vegas Finance Center, Fax (702) 798-2423	
RECIPIENT TYPE: Municipal		RECIPIENT: City of Sacramento Dept of Utilities 1395 35th Avenue Sacramento, CA 95822 EIN: 94-6000410	
RECIPIENT: City of Sacramento Dept of Utilities 1395 35th Avenue Sacramento, CA 95822 EIN: 94-6000410		PAYEE: City of Sacramento Dept of Utilities 1395 35th Avenue Sacramento, CA 95822	
PROJECT MANAGER Brett Grant 1395 35th Avenue Sacramento, CA 95822 E-Mail: bgrant@cityofsacramento.org Phone: 916-808-1413		EPA PROJECT OFFICER Loretta Vanegas 75 Hawthorne Street, WTR-10 San Francisco, CA 94105 E-Mail: Vanegas.Loretta@epa.gov Phone: 415-972-3433	
EPA GRANT SPECIALIST Elizabeth Armour Grants Management Office, MTS-7 E-Mail: Armour.Elizabeth@epa.gov Phone: 415-947-4264			
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NOTICE OF AWARD			
Based on your application dated 07/13/2011, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$485,000. EPA agrees to cost-share <u>48.50%</u> of all approved budget period costs incurred, up to and not exceeding total federal funding of \$485,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.			
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)		AWARD APPROVAL OFFICE	
ORGANIZATION / ADDRESS U.S. EPA, Region 9 Grants Management Office, MTS-7 75 Hawthorne Street San Francisco, CA 94105		ORGANIZATION / ADDRESS U.S. EPA, Region 9 Water Division, WTR-1 75 Hawthorne Street San Francisco, CA 94105	
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY			
Digital signature applied by EPA Award Official Denise Zvanovec - Grants Management Officer			DATE 08/10/2012
AFFIRMATION OF AWARD			
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION			
SIGNATURE	TYPED NAME AND TITLE Marty Hanneman, Director of Utilities		DATE

EPA Funding Information

FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 485,000	\$ 485,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$ 515,000	\$ 515,000
State Contribution	\$	\$	\$ 0
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 1,000,000	\$ 1,000,000

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.202 - Congressionally Mandated Projects	FY 2009 Omnibus Appropriations Act (PL 111-8)	40 CFR PART 31

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
-	1209W0E058	11	E4	09L0ATL	202B51	4192			485,000
									485,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$1,000,000
7. Construction	\$0
8. Other	\$0
9. Total Direct Charges	\$1,000,000
10. Indirect Costs: % Base <u>See Term and Condition</u>	\$0
11. Total (Share: Recipient <u>51.50 %</u> Federal <u>48.50 %</u> .)	\$1,000,000
12. Total Approved Assistance Amount	\$485,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$485,000
15. Total EPA Amount Awarded To Date	\$485,000

Administrative Conditions

1. Federal Financial Report (SF 425)

The final Federal Financial Report (FFR) covering the entire project period shall be submitted within 90 days after the end of the project period according to 40 CFR Part 31.23(b) and 31.41(b). The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

For awards with cumulative project and budget periods greater than 12 months, an interim FFR covering the period from "project/budget period start date" to **September 30** of each calendar year shall be submitted to the U.S. EPA Las Vegas Finance Center, PO Box 98515, Las Vegas, NV 89193-8515, no later than **December 30** of the same calendar year.

2. Single Audit Act

In accordance with OMB Circular A-133, which implements the Single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor, if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit the SF-SAC and a Single Audit Report Package. The recipient **MUST** submit the SF-SAC and a Single Audit Report Package using the Federal Audit Clearinghouse's Internet Data Entry System. For complete information on how to accomplish the single audit submissions, you will need to visit the Federal Audit Clearinghouse Web site: <http://harvester.census.gov/fac/>.

3. Central Contractor Registration and Universal Identifier Requirements

A. Requirement for Central Contractor Registration (CCR). Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) numbers. If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions. For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at <http://www.ccr.gov>).

2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained from D&B by telephone (currently 866-705-5711) or the Internet (currently at <http://fedgov.dnb.com/webform>).

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:

- a. A Governmental organization, which is a State, local government, or Indian tribe;
- b. A foreign public entity;
- c. A domestic or foreign nonprofit organization;
- d. A domestic or foreign for-profit organization; and
- e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. Subaward:
 - a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
 - c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:
 - a. Receives a subaward from you under this award; and
 - b. Is accountable to you for the use of the Federal funds provided by the subaward.

4. Reporting Subawards and Executive Compensation

- a. Reporting of first-tier subawards.
 1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates \$25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e of this award term).
 2. Where and when to report.
 - i. You must report each obligating action described in paragraph a.1. of this award term to www.fsrc.gov.
 - ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
 3. What to report. You must report the information about each obligating action that the submission instructions posted at www.fsrc.gov specify.

- b. Reporting Total Compensation of Recipient Executives.
 1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if –
 - i. **The total Federal funding authorized to date under this award is \$25,000 or more;**
 - ii. In the preceding fiscal year, you received—
 - (A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - (B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
 - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
 2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:
 - i. As part of your registration profile at www.ccr.gov.
 - ii. By the end of the month following the month in which this award is made, and annually thereafter.

- c. Reporting of Total Compensation of Subrecipient Executives.
 1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year, if –
 - i. in the subrecipient's preceding fiscal year, the subrecipient received—
 - (A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

- B) \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
 - ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)
2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
- i. To the recipient.
 - ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions. If, in the previous tax year, you had gross income, from all sources, under \$300,000, you are exempt from the requirements to report:

- i. subawards, and
- ii. the total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:
 - i. A Governmental organization, which is a State, local government, or Indian tribe;
 - ii. A foreign public entity;
 - iii. A domestic or foreign nonprofit organization;
 - iv. A domestic or foreign for-profit organization;
 - v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.
2. Executive means officers, managing partners, or any other employees in management positions.
3. Subaward:
 - i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
 - ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. --.210 of the attachment to OMB Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations").
 - iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.
4. Subrecipient means an entity that:
 - i. Receives a subaward from you (the recipient) under this award; and
 - ii. Is accountable to you for the use of the Federal funds provided by the subaward.
5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
 - i. *Salary and bonus* .
 - ii. *Awards of stock, stock options, and stock appreciation rights* . Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
 - iii. *Earnings for services under non-equity incentive plans* . This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
 - iv. *Change in pension value* . This is the change in present value of defined benefit and actuarial pension plans.
 - v. *Above-market earnings on deferred compensation which is not tax-qualified* .
 - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

5. Trafficking in Persons

a. Provisions applicable to a recipient that is a private entity

1. You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not—
 - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
 - ii. Procure a commercial sex act during the period of time that the award is in effect; or
 - iii. Use forced labor in the performance of the award or subawards under the award.
2. We as the Federal awarding agency may unilaterally terminate this award, without penalty, if you or a subrecipient that is a private entity —
 - i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
 - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a.1 of this award term through conduct that is either—
 - A. Associated with performance under this award; or
 - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our Agency at 2 CFR 1532.

b. Provision applicable to a recipient other than a private entity . We as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity—

1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
2. Has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in paragraph a.1 of this award term through conduct that is either—
 - i. Associated with performance under this award; or
 - ii. Imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR 1532

c. Provisions applicable to any recipient .

1. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in paragraph a.1 of this award term.
2. Our right to terminate unilaterally that is described in paragraph a.2 or b of this section:
 - i. Implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and
 - ii. Is in addition to all other remedies for noncompliance that are available to us under this award.
3. You must include the requirements of paragraph a.1 of this award term in any subaward you make to a private entity.

d. Definitions . For purposes of this award term:

1. "Employee" means either:
 - i. An individual employed by you or a subrecipient who is engaged in the performance of the project or program under this award; or
 - ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
3. "Private entity":
 - i. Means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25.
 - ii. Includes:
 - A. A nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b).
 - B. A for-profit organization.
4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the

meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).

6. Recycled Paper

In accordance with Executive Order 13423 (Strengthening Federal Environmental, Energy and Transportation Management dated January 24, 2007), EPA Order 1000.25 and 40 CFR Part 30.16 (as applicable), the recipient shall use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration. The recipient shall give preference in its procurement programs funded with Federal funds to the purchase of recycled products pursuant to EPA's guidelines, as applicable.

Any State agency or agency of a political subdivision of a State shall also comply with the requirements set forth in the Resource Conservation and Recovery Act (RCRA), Section 6002 (42 U.S.C. 6962), which requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA under 40 CFR Part 247. Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more.

7. Hotel and Motel Fire Safety

The recipient agrees to ensure that all conference, meeting, convention, or training funded in whole or in part with Federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act. (Refer to 40 CFR Part 30.18 and 15 U.S.C. 2225a, as applicable.)

8. Drug-Free Workplace

The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award. Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html.

9. Debarment, Suspension and Other Responsibility Matters

The recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." The recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. The recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at www.epls.gov. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

10. Reimbursement Limitation

EPA's financial obligations to the recipient are limited by the amount of federal funding awarded to date as shown on line 15 in its EPA approved budget. If the recipient incurs costs in anticipation of receiving additional funds from EPA, it does so at its own risk.

11. Management Fees

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in

order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

12. Lobbying and Litigation Prohibition

The recipient shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by 2 CFR 225 (OMB Circular A-87), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly. In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

13. Utilization of Disadvantaged Business Enterprises

The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises in procurement under assistance agreements as set forth in 40 CFR Part 33. The EPA DBE rule can be accessed at <http://www.epa.gov/osbp>. In addition, the recipient agrees to make good faith efforts whenever procuring construction, equipment, services and supplies under an EPA assistance agreement, and to ensure that sub-recipients, loan recipients, and prime contractors also comply with 40 CFR Section 33.301. Records documenting compliance with the six good faith efforts shall be retained.

The recipient accepts the applicable MBE/WBE fair share objectives/goals negotiated with EPA by the California Department of Public Health (CADPH), as follows:

	MBE	WBE
Construction	14%	6%
Equipment	13%	19%
Services	31%	32%
Supplies	22%	14%

By signing this financial assistance agreement, the recipient is accepting the fair share objectives/goals stated above and attests to the fact that it is purchasing the same or similar construction, supplies, services and equipment, in the same or similar relevant geographic buying market as CA Department of Public Health.

Pursuant to 40 CFR Section 33.404, the recipient has the option to negotiate its own MBE/WBE fair share objectives/goals. If the recipient wishes to negotiate its own MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The submission of proposed fair share goals with the supporting analysis or disparity study means that the recipient is not accepting the fair share objectives/goals of another recipient. The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study to Joe Ochab, MTS-1, the Regional MBE/WBE Coordinator, within 120 days of acceptance of the financial assistance award. EPA will respond to the proposed fair share objectives/goals within 30 days of receiving the submission. If proposed fair share objectives/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objectives/goals are submitted.

A recipient of a Continuing Environmental Program Grant or other annual grant agrees to create and maintain a bidders list. A recipient of an EPA financial assistance agreement to capitalize a revolving loan fund also agrees to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Refer to 40 CFR Section 33.501 (b) and (c) for specific requirements and exemptions.

14. MBE/WBE Utilization Report

The recipient agrees to complete and submit to the Grants Management Office, MTS-7, a MBE/WBE Utilization Report (EPA Form 5700-52A), within 30 days after the end of the semi-annual reporting period; i.e., by April 30 and October 30 of each calendar year. Negative reports are required. Recipients of financial assistance agreements that capitalize revolving loan programs agree to require entities receiving identified loans to submit their MBE/WBE participation reports on a semiannual basis to the financial assistance agreement recipient, rather than to EPA. Only procurements with certified MBE/WBEs are counted towards a recipient's MBE/WBE accomplishments. A final MBE/WBE report must be submitted within 90 days after the end of the project period. Your grant cannot be officially closed without all MBE/WBE reports. EPA Form 5700-52A may be obtained from the EPA Office of Small Business Program's Home Page on the internet at www.epa.gov/osbp.

15. Indirect Costs

The cost principles of 2 CFR 225 (OMB Circular A-87) are applicable to this award. Since there are no indirect costs included in the assistance budget, they are not allowable under this Assistance Agreement.

16. FY2011 ACORN Funding Prohibition

Congress has prohibited EPA from using its FY 2011 appropriations to provide funds to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries. None of the funds provided under this agreement may be used for subawards/subgrants or contracts to ACORN or its subsidiaries. Recipients should direct any questions about this prohibition to their EPA Grants Management Office.

17. Payment to Consultants

Per 40 CFR Part 31.36(j), EPA's participation in the salary rate (excluding overhead and travel) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule, to be adjusted annually. The Federal Executive Schedule (i.e., Salary Table) is located at: <http://www.opm.gov/oca/>

This limit applies to consultation services of designated individuals with specialized skills and if the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. This rate does not include overhead or travel costs and the recipient may pay these in accordance with its normal travel practices.

Subagreements with firms or individuals for services which are awarded using the procurement requirements in 40 CFR Part 31, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR Part 31.36(j)(2).

18. Procurement

The recipient will ensure all procurement transactions will be conducted in a manner providing full and open competition consistent with EPA regulations under 40 CFR Part 30.43, 31.36 or 35.6555, as applicable. In accordance with 40 CFR Part 30.45, 31.36(f) or 35.6585, as applicable, the grantee and subgrantee(s) must perform a cost or price analysis in connection with every procurement action, including contract modifications.

20. Recipient Contribution (Cost Share)

The required recipient cost share for this assistance agreement is 45% of total project costs. EPA agrees to pay up to 55% of total eligible project costs, not to exceed the Total Approved Assistance Amount. The assistance agreement may reflect a percentage shown under the "Notice of Award" section which is based on estimated costs requested in the recipient's application.

Programmatic Conditions

P1. The recipient agrees to submit to the EPA Project Office a short narrative describing the environmental and public health benefits of this project in the workplan. Additionally, within 90 days of the conclusion of the project, the recipient shall submit an assessment of how effective the project was in achieving the stated environmental and public health objectives.

P2. The recipient agrees to provide to EPA Region 9 locational data (i.e. latitude and longitude) for the

EPA-funded infrastructure project in the first required quarterly progress report to EPA.

P3. The grant recipient shall send a copy of the payment request for all activities and supporting documentation to the EPA Project Officer. The EPA Project Officer will review the documentation to verify that the payments are for activities that are within the scope of work of the grant agreement and will notify the Las Vegas Finance Center of his/her determination.

P4. EPA may terminate the assistance agreement for failure of the recipient to make sufficient progress so as to reasonably ensure completion of the project within the project period, including any extensions. EPA will measure sufficient progress by examining the performance required under the workplan in conjunction with the milestone schedule, the time remaining for performance within the project period, and/or the availability of funds necessary to complete the project.

P5. In accordance with 40 C.F.R. §31.40, the recipient agrees to submit quarterly performance reports to the Project Officer within 30 days after the end of each Federal Fiscal Quarter (January 30, April 30, July 30, and October 30) that include brief information on each of the following areas: 1) a comparison of actual accomplishments to the outputs/outcomes established in the assistance agreement workplan for the period; 2) the reasons for slippage if established outputs/outcomes were not met; and 3) additional pertinent information, including, when appropriate, any special EPA assistance needed, as well as provide a financial accounting of costs incurred during the quarter and cumulative project costs by task and analysis and formation of cost overruns or high unit costs. The recipient shall submit a final report within 90 days of the end of the project period.

In accordance with 40 C.F.R. § 31.40 (d), the recipient agrees to inform EPA as soon as problems, delays or adverse conditions become known which will materially impair the ability to meet the outputs/outcomes specified in the assistance agreement work plan.

END OF DOCUMENT



CITY OF SACRAMENTO

DEPARTMENT OF UTILITIES

ENGINEERING SERVICES DIVISION

CONTRACT SPECIFICATIONS FOR

P Street Sewer Improvements - 5th to 7th Street

PN: X14010064

B13141321007

Engineer's Estimate: \$885,000

For Pre-Bid Information Call:

Dale Mathison
Associate Engineer
(916) 808-1911

Separate Plans

Bid to be received before 2:00 PM
Wednesday, May 1, 2013
Historic City Hall, City Clerk's Office
915 I Street, 1st Floor
Sacramento, CA 95814

NOTICE TO CONTRACTORS
CITY OF SACRAMENTO

Sealed Proposals will be received by the City Clerk of the City of Sacramento (the "City") at the Office of the City Clerk, Historic City Hall, located at 915 I Street, 1st Floor, up to the hour of 2:00 p.m. on Wednesday, May 1, 2013 and opened at 2:00 p.m., or as soon thereafter as business allows, in the Hearing Room, Historic City Hall, 2nd Floor, for construction of:

P Street Sewer Improvements - 5th to 7th Street
(PN: X14010064) (B13141321007)

as set forth in the Construction Documents.

Proposals received and work performed thereunder shall comply with the requirements of Chapter 3.60 of the Sacramento City Code. Each Bid Proposal shall be accompanied by bid security of at least 10% of the sum of the Bid Proposal. The right to reject proposals or to waive any error or omission in any Bid Proposal received is reserved by the City. Signed proposals shall be submitted on the printed forms contained herein and enclosed in an envelope marked:

SEALED PROPOSAL FOR
P Street Sewer Improvements - 5th to 7th Street
(PN: X14010064)(B13141321007)

You can view and download the plans and Contract Documents from:

PLANET BIDS

<http://www.planetbids.com/portal/portal.cfm?CompanyID=15300#>

EPA Funding Requirements

This project is being funded with federal funding distributed through the federal Environmental Protection Agency (EPA). These bid specifications include various federal and state law requirements and attachments (collectively referred to herein as the "Funding Requirements") that are hereby incorporated in and made part of the Contract and shall constitute Contract Documents.

All bidders, the Contractor awarded the Contract, and the Contractor's subcontractors and suppliers shall be required to comply with all applicable Funding Requirements. **The Funding Requirements include 6 forms that must be completed and returned with the bid (identified in the Funding Requirements as Attachments A, C, D, E, G, and H).** Any bid that does not comply with all applicable Funding Requirements may be rejected as nonresponsive.

DBE/MBE/WBE Requirements

Because this project is being funded with federal funding, it is subject to federal requirements to assure that disadvantaged business enterprises, minority and women's business enterprises (DBEs, MBEs and WBEs) are used when possible, and the City's Emerging and Small Business Enterprise requirements do not apply. The applicable requirements are specified in the Funding Requirements, and in the "DBE/MBE/WBE Requirements and Exhibits" included in these bid specifications and hereby incorporated and made part of the Contract. **The DBE/MBE/WBE Requirements and Exhibits include 3 forms that must be completed and returned with the bid (identified in the DBE/MBE/WBE Requirements as Exhibits A, D, and E).** Any bid that does not comply with the DBE/MBE/WBE Requirements and Exhibits may be rejected as nonresponsive.

Prevailing Wage Requirements

Because this project is being funded with Federal funding, it is subject to both federal and State prevailing wage requirements. Federal prevailing wage requirements (included in the attached "Funding Requirements") are established pursuant to the federal Davis-Bacon Act, which requires the payment of wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. State prevailing wages are established by the Director of the California Department of Industrial Relations under the provisions of section 1773 of the California Labor Code.

Copies of the federal and State prevailing wage rates are on file at **Department of Utilities, 1395 35th Ave, Sacramento CA 95822, Attn: Renee Graves**, and shall be made available to any bidder on request.

To comply with the above requirements, for each category of labor or services to which a prevailing wage rate applies, the Contractor and all subcontractors shall pay either the federal prevailing wages required pursuant to the Davis-Bacon Act, or the State prevailing wages established by the Director of the California Department of Industrial Relations, whichever is higher. All questions regarding the payment of prevailing wages should be directed to the City's Labor Compliance section at (916) 808-1465.

The City of Sacramento has an approved Labor Compliance Program. **Electronic Web submittal of Labor Compliance Reports is effective May 1, 2008.** Each contractor and every lower-tier subcontractor is required to submit certified payrolls and labor compliance documentation electronically at the discretion of and in the manner specified by the City.

Electronic submittal utilizes a web-based system, accessed on the World Wide Web by a web browser. Each contractor and subcontractor will be given a Log On identification and password to access the City of Sacramento reporting system.

Use of the system may entail additional data entry of weekly payroll information including employee identification labor classification, total hours worked and hours worked on this project, wage and benefit rates paid, etc.. The contractor's payroll and accounting software might be capable of generating a 'comma delimited file' that will interface with the software.

This requirement will be "flowed down" to every lower-tier subcontractor and vendor required to provide labor compliance documentation.

All questions regarding the Labor Compliance Program should be directed to the Labor Compliance Section at (916) 808-5524.

Pursuant to Sacramento City Code Section 3.60.250, any contract awarded pursuant to this Invitation to Bid shall contain a provision permitting the substitution of securities for any monies withheld to ensure performance under the Contract. The terms of such provisions shall be according to the requirements and the form required by the City.

Bid protests must be filed and maintained in accordance with the provisions of Section 3.60.460 through 3.60.560 (Article X) of Chapter 3.60 of the Sacramento City Code. Bid protests that do not comply with these provisions shall be invalid and shall not be considered. A bid protest fee of \$750.00 is required at the time of filing the protest to be considered valid. As used herein, the term "bid protests" includes any bid protest that (1) claims that one or more bidders on this contract should be disqualified or rejected for any reason, or (2) contests a City staff recommendation to award this contract to a particular bidder, or (3) contests a City staff recommendation to disqualify or reject one or more bidders on this contract. A copy of Article X of Chapter 3.60 of the Sacramento City Code may be obtained from the Project Manager or from the Office of the City Clerk, located at 915 I Street, 1st Floor, Sacramento, CA 95814 (also available on the internet at <http://www.qcode.us/codes/sacramento/>).

The right to reject any and all bids or to waive any informality or irregularity in any bid received is reserved by the City Council.

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SPECIAL PROVISIONS

THE FOLLOWING DOCUMENTS
ARE TO BE COMPLETED AND
SUBMITTED WITH THE BID PACKAGE

Contractor's Name: _____
(Please print)

**CITY OF SACRAMENTO
SEALED PROPOSAL
(MUST BE SIGNED BY BIDDER)**

The Sealed Proposal will be received not later than Wednesday, May 1, 2013, at the Office of the City Clerk, Historic City Hall, at 915 I Street, 1st Floor, Sacramento, California and opened at 2:00 PM, or as soon thereafter as business allows, on Wednesday, May 1, 2013, by the Office of the City Clerk, 915 I Street, Historic City Hall, Hearing Room 2nd Floor, Sacramento, California.

TO THE HONORABLE CITY COUNCIL:

The undersigned hereby proposes and agrees to furnish any and all required labor, material, transportation, and services for

**P Street Sewer Improvements - 5th to 7th Street
(PN: X14010064)(B13141321007)**

in the City and County of Sacramento, California.

TOTAL BID: _____ (\$ _____).

The work herein described is to be performed in strict conformity with the Plans, City of Sacramento Standard Specifications, the Special Provisions, and all other Contract Documents, at the following unit prices:

Item No.	Description	Estimated Quantity	Unit	Unit Price	Total
1	Mobilization	1	LS	\$ _____	\$ _____
2	Preconstruction Photographs	1	LS	\$ _____	\$ _____
3	72-inch Sewer Pipe to Construct	785	LF	\$ _____	\$ _____
4	60-inch Sewer Pipe to Construct	40	LF	\$ _____	\$ _____
5	72"/60" Eccentric Transition to Construct	2	EA	\$ _____	\$ _____
6	72" Segmented 90 degree Bend to Install	1	EA	\$ _____	\$ _____
7	72" Segmented 90 degree Bend to Construct	1	EA	\$ _____	\$ _____
8	24" Transition CS Pipe to Construct	15	LF	\$ _____	\$ _____
9	12-inch CS Pipe to Construct	50	LF	\$ _____	\$ _____
10	12-inch CS Pipe to Realign	15	LF	\$ _____	\$ _____
11	12-inch CS Pipe to Abandon	60	LF	\$ _____	\$ _____
12	18" Drainage Pipe to Abandon	30	LF	\$ _____	\$ _____
13	24" Drainage Pipe to Abandon	15	LF	\$ _____	\$ _____
14	10-inch Drain Lead to Install	90	LF	\$ _____	\$ _____
15	12-inch Drain Lead to Relocate	50	LF	\$ _____	\$ _____
16	15-inch Drain Service to Relocate	52	LF	\$ _____	\$ _____
17	Modified Type B Drain Inlet to Construct	2	EA	\$ _____	\$ _____
18	Saddle Manhole to Construct at 5th & P St	1	EA	\$ _____	\$ _____
19	Saddle Manhole to Construct at 6th & P St	1	EA	\$ _____	\$ _____
20	Saddle Manhole to Construct at 7th & P St	1	EA	\$ _____	\$ _____
21	Manhole No. 3 to Construct	4	EA	\$ _____	\$ _____
22	Manhole to Abandon	1	EA	\$ _____	\$ _____
23	Manhole to Repair	1	EA	\$ _____	\$ _____
24	Existing Sewer Service to Replace	5	EA	\$ _____	\$ _____
25	Pipe Ends to Plug	12	EA	\$ _____	\$ _____
26	Asphalt Overlay to Place	33	TON	\$ _____	\$ _____

27	Unsuitable Material to Replace	415	TON	\$ _____	\$ _____
28	CCTV Inspection	1005	LF	\$ _____	\$ _____
29	Unmarked Live Utility Crossings	8	LF	\$ _____	\$ _____
30	Unmarked Dead Utility Crossings	8	EA	\$ _____	\$ _____
31	Utility to Pothole	7	EA	\$ _____	\$ _____
32	Brick Pipe Preservation	1	LS	\$ _____	\$ _____

TOTAL BID: \$ _____

If awarded the contract, the undersigned shall execute said contract and furnish the necessary bonds within ten (10) days after the notice of award of said contract and begin work within fifteen (15) days after the signing of the contract by the Contractor and the City or the Notice to Proceed has been prepared, whichever is applicable.

In determining the amount bid by each bidder, City shall disregard mathematical errors in addition, subtraction, multiplication and division that appear obvious on the face of the Proposal. When such a mathematical error appears on the Proposal, the City shall have the right to correct such error and to compute the total amount bid by said bidder on the basis of the corrected figure or figures.

When the unit price of an item is required to be set forth in the Proposal, and the total for the item set forth separately does not agree with a figure derived by multiplying the item unit price times the Engineer's estimate of the quantity of work to be performed for said item, the item unit price shall prevail over the sum set forth as the total for the item unless, in the sole discretion of the City, such a procedure would be inconsistent with the policy of the City's bidding procedures. The total paid for each such item of work shall be based upon the item unit price and not the total price.

Should the Proposal contain only a total price for an item and the item unit price is omitted, the City shall determine the item unit price by dividing the total price of the item by the Engineer's estimate of the quantity of work to be performed for the item of work.

If the Proposal contains neither the item price nor the total price for the item, then it shall be deemed incomplete and the Proposal shall be disregarded.

The entire work shall be completed within a period of **eighty-five (85) working days** commencing on the date specified in the Notice to Proceed. The amount of liquidated damages to be paid by the Contractor for failure to complete the entire work within such 110 working day period (as extended, if applicable) shall be **five hundred thirty dollars (\$530.00) for each calendar day**, continuing to the date when the entire work is completed and accepted by the Engineer. Such amount is the actual cash value agreed upon as the loss to the City resulting from the default of the Contractor.

The undersigned represents and warrants that he/she has examined the location of the proposed work and is familiar with the conditions at the place where the work is to be performed. The undersigned further represents that he/she has reviewed and understands the Plans, Special Provisions, and other contract documents, and the undersigned is satisfied with all conditions for the performance of the work.

The undersigned has carefully checked all of the above figures and understands that the City of Sacramento will not be responsible for any errors or omissions on the part of the undersigned in making up this bid.

This proposal shall not be withdrawn for the time periods specified in Section 3-2 of the City of Sacramento Standard Specifications for award of contract to respective low bidders. This proposal is submitted in accordance with Chapter 3.60 of the Sacramento City Code and Sections 1, 2, and 3 of the City of Sacramento Standard Specifications.

In accordance with Standard Specification Section 3-2, the City shall award this contract to the lowest responsible bidder, if such award is made, within forty-five (45) working days after opening of the Proposals. The City reserves the right to reject any and all bids or to waive any informality or irregularity in any bid received.

BID DEPOSIT ENCLOSED IN THE FOLLOWING FORM:

\$ _____ not less than ten (10) percent of amount bid.

____ CERTIFIED CHECK

____ MONEY ORDER

____ CASHIERS'S CHECK

____ BID BOND

FOR CITY USE ONLY

TYPE OF DEPOSIT

- Bid Bond
- Cashier/Certified Check
- Other _____

Reviewer's Initials: _____

CONTRACTOR

Addendum No. 1 _____

Addendum No. 2 _____ By: _____

(Signature)

Addendum No. 3 _____ Title: _____

Addendum No. 4 _____ Address: _____

(Physical Address - No P.O. Box)

Telephone No. _____

Fax No. _____

Email _____

(Federal Tax ID # or Social Security #)

Under penalty of perjury, I certify that the Taxpayer Identification Number and all other information provided here are correct.

Valid Contractor's License No. _____, Classification _____ is held by the bidder.

Expiration date _____. Representation made herein are true and correct under penalty or perjury

PN: X14010064 (B13141321007)

KNOW ALL MEN BY THESE PRESENTS,

That we, _____

as Principal, and _____

a corporation duly organized under the laws of the State of _____ and duly licensed to become sole surety on bonds required or authorized by the State of California, as Surety, are held and firmly bound unto the City of Sacramento, hereinafter called the City, in the penal sum of ten percent (10%) of the (BASE OR LUMP SUM) Proposal of the Principal above named, or other amount as set forth in the Invitation to Bidders, submitted by said Principal to the City for the Work described below, for the payment of which sum in lawful money of the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators and successors, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH

That whereas the Principal has submitted the above mentioned proposal to the City, for which Proposals are to be opened in the Office of the City Clerk, Historic City Hall, Hearing Room 2nd Floor, 915 I Street, Sacramento, California, on Wednesday, May 1, 2013 for the Work specifically described as follows:

P Street Sewer Improvements - 5th to 7th Street
(PN: X14010064) (B13141321007)

NOW, THEREFORE, if the aforesaid Principal is award the Agreement and within the time and manner required under the Contract Documents, enters into a written Agreement, in the prescribed form, in accordance with the Proposal, and files two (2) bonds with the City, one to guarantee faithful performance and the other to guarantee payment for labor and materials, and files the required insurance policies with the City, all as required by the Contract Documents or by law, then the obligation shall be null and void; otherwise it shall be and remain in full force and effect.

In the event suit is brought upon this bond by the Obligee and judgment is recovered, the Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to be fixed by the court, which sums shall be additional to the principal amount of this bond.

IN WITNESS THEREOF, We have hereunto set our hands and seal this _____ day of _____, 2010.

PRINCIPAL

SURETY California License Number of Attorney in Fact

Principal Phone Number

Surety Phone Number

Address

Address

NOTARY

NOTARY