



Legislation Details (With Board Report)

File #: 24-348 **Name:** Las Lomas Drive Bicycle and Pedestrian Proj 8667

Type: General Agenda Item **Status:** Public Works, Facilities & Parks - Consent

File created: 5/8/2024 **In control:** Board of Supervisors

On agenda: 5/21/2024 **Final action:**

Title:

- a. Adopt Plans and Special Provisions for the Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8667 (the Project);
- b. Authorize the Director of Public Works, Facilities and Parks to advertise the “Notice to Bidders” in the Monterey County Weekly.
- c. Approve an Agreement for Purchase of Real Property to purchase a temporary construction easement (1,240 square feet) between County of Monterey and Vences Property (APN 119-152-018 in the amount of \$4,900, for construction of the Project;
- d. Approve an Agreement for Purchase of Real Property to purchase a temporary construction easement (1,126 square feet) between County of Monterey and Anguiano Property (APN 119-152-019 in the amount of \$5,400, for Construction of the Project;
- e. Approve an Agreement for Purchase of Real Property to purchase a temporary construction easement (2,951 square feet) between County of Monterey and Montanez Property (APN 119-152-021 in the amount of \$9,500, for Construction of the Project;
- e. Authorize the Director of Public Works, Facilities and Parks or their designee to execute the Agreement for Purchase of Real Property to purchase the aforementioned temporary construction easements; and
- f. Authorize the Director of Public Works, Facilities and Parks or their designee to accept the temporary construction easements and execute the Certificates of Acceptance and Consent to Recordation.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Board Report, 2. Attachment A - Location Map, 3. Attachment B - Project Budget (Rev. ERizo 5-6-24), 4. Attachment C - Book 1, 5. Attachment C - Book II, 6. Attachment D - TCE Agreements, 7. Completed Board Order Item No. 43

Date	Ver.	Action By	Action	Result
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- e. Approve an Agreement for Purchase of Real Property to purchase a temporary construction easement (2,951 square feet) between County of Monterey and Montanez Property (APN 119-152-021 in the amount of \$9,500, for Construction of the Project;
- e. Authorize the Director of Public Works, Facilities and Parks or their designee to execute the Agreement for

Purchase of Real Property to purchase the aforementioned temporary construction easements; and
f. Authorize the Director of Public Works, Facilities and Parks or their designee to accept the temporary construction easements and execute the Certificates of Acceptance and Consent to Recordation.

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Adopt Plans and Special Provisions for the Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8667 (the Project);
- b. Authorize the Director of Public Works, Facilities and Parks to advertise the “Notice to Bidders” in the Monterey County Weekly.
- c. Approve an Agreement for Purchase of Real Property to purchase a temporary construction easement (1,240 square feet) between County of Monterey and Vences Property (APN 119-152-018 in the amount of \$4,900, for construction of the Project;
- d. Approve an Agreement for Purchase of Real Property to purchase a temporary construction easement (1,126 square feet) between County of Monterey and Anguiano Property (APN 119-152-019 in the amount of \$5,400, for Construction of the Project;
- e. Approve an Agreement for Purchase of Real Property to purchase a temporary construction easement (2,951 square feet) between County of Monterey and Montanez Property (APN 119-152-021 in the amount of \$9,500, for Construction of the Project;
- e. Authorize the Director of Public Works, Facilities and Parks or their designee to execute the Agreement for Purchase of Real Property to purchase the aforementioned temporary construction easements; and
- f. Authorize the Director of Public Works, Facilities and Parks or their designee to accept the temporary construction easements and execute the Certificates of Acceptance and Consent to Recordation.

SUMMARY:

Adopting the Plans and Special Provisions and authorizing the Public Works, Facilities and Parks Department (PWFP) to advertise the Las Lomas Drive Bicycle Lane and Pedestrian Project, Project No. 8667 (the Project), will allow the PWFP to solicit construction bids and proceed with the construction phase of the Project. PWFP will return to the Board after opening bids and determining the lowest responsible bidder to award the Project.

Approval of the Agreements for Purchase of Real Property will complete three (3) purchases of temporary construction easements (TCEs) and thus allow construction of the Project to proceed.

DISCUSSION:

The Las Lomas Drive Bicycle Lane and Pedestrian Project (the Project) is located as shown in Attachment A and consists of road widening, driveway reconstruction, and installation of new curbs, gutters, sidewalks, Class II bike lanes, a retaining wall, and stormwater treatment facilities on Las Lomas Drive between Hall Road and Thomas Road in north Monterey County.

On June 6, 2023, the Board of Supervisors authorized staff to advertise for bids to construct the project, and on July 13, 2023, the County opened sealed bids for the Project. Only two qualified contractors submitted responsive bids. The apparent low bid, at \$4,574,513.90, exceeded the engineer’s estimate of \$3,039,586 by approximately \$1.5 million or 50 percent. On September 26, 2023, the Board of Supervisors approved staff’s recommendation to reject all bids and reevaluate the plans, specifications and cost estimate and implement minor modifications to the contract documents as necessary to receive lower bids. In this regard, the original soldier pile retaining wall was replaced with a Keystone[®]-type retaining wall. The updated engineer’s estimate is \$3,388,953. To construct the retaining wall more efficiently, a total of three (3) TCEs across adjacent

properties were obtained.

The bid opening is set for June 13, 2024, at 2:00 p.m., in the Board of Supervisors Chambers, County Administration Building, Government Center, 168 W. Alisal Street, First Floor, Salinas, California. Project construction is scheduled to begin in July 2024.

County right of way consultant Bender Rosenthal, Inc. performed appraisals for each of the TCEs for compensatory value and offers were presented to the affected property owners. The appraisals indicated that the valuation for just compensation due, as of October 12, 2023, was as follows:

- \$4,900 for the property owned by Vences;
- \$5,400 for the property owned by Anguiano; and
- \$9,500 for the property owned by Montanez Trust Property.

Las Lomas is located in the Coastal Zone so the Project requires a discretionary permit. In compliance with the California Environmental Quality Act (CEQA), the County of Monterey Planning Commission adopted a Subsequent Mitigated Negative Declaration (MND) and approved a Combined Development Permit (RMA-Planning File No. PLN140903) on January 14, 2015.

An extension (PLN140903-EXT1), Resolution No. 18-025 was approved by the Resource Management Agency Chief of Planning on May 16, 2018, and an extension (PLN140903-EXT2), Resolution No. 22-044 was approved by the Department of Housing and Community Development Chief of Planning on July 20, 2022, with no changed circumstances from the previously approved permit. Caltrans, as the designated lead for the National Environmental Policy Act (NEPA), determined that the Project is categorically excluded from having to prepare an Environmental Assessment (EA) or an Environmental Impact Statement (EIS). Caltrans approved the NEPA Categorical Exclusion Determination on January 2, 2019, and re-validated on January 19, 2023.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management, and Auditor-Controller have reviewed and approved the Special Provisions as to form, insurance and indemnification provisions and fiscal provisions, respectively.

FINANCING

The total estimated cost of the Project, including design engineering, environmental, right-of-way, and construction is \$5,111,534. The County has secured Active Transportation Program (ATP) funding for the Project as outlined in Attachment B, Project Budget. The Project is largely funded by a combination of State and Federal ATP Funds in the amount of \$2,894,000, Transportation Development Act (TDA) funds in the amount of \$170,300 and Road Fund in the amount of \$120,464. The remaining \$1,926,770 will be funded through Measure X local funds. There are sufficient appropriations adopted in the FY 2023-24 Road Fund 002, Appropriation Unit PFP004 budget to finance the construction phase of the Project.

The cost to secure the subject TCEs is \$19,800.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Project will construct sidewalks, Class II bike lanes, curb, gutter, driveways, retaining wall and bioswales. The recommended action supports the following Board of Supervisors' Strategic Initiatives:

Economic Development
Administration
Health & Human Services
 Infrastructure
 Public Safety

Prepared by: Edgard Rizo, Assistant Engineer, (831) 755-5158

Reviewed by: J. Erich Rauber, PE, GE, Senior Civil Engineer

Enrique Saavedra, PE, Chief of Public Works

Crystal Corpuz, Finance Manager I

Mary Grace Perry, Deputy County Counsel

Approved by: Randell Ishii, MS, PE, TE, PTOE, Director of Public Works, Facilities and Parks

The following attachments are on file with the Clerk of the Board:

Attachment A - Location

Attachment B - Project Budget

Attachment C - Special Provisions Book 1 & Bid Form Book 2

Attachment D - Agreements for Purchase of Real Property