



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: WRAG 17-211, **Version:** 1

Consider recommending that the Monterey County Water Resources Agency Board of Supervisors authorize the General Manager, subject to approval by County Counsel, to enter into standard agency time and materials construction contracts on an emergency basis for immediate repairs of the San Antonio Dam Spillway and the Nacimiento Dam Spillway for an amount not-to-exceed \$200,000 each; and authorize the General Manager to sign change orders to both contracts not-to-exceed in the aggregate \$100,000, for a total of all work not-to-exceed \$500,000.

RECOMMENDATION:

It is recommended that the Monterey County Water Resources Agency Board of Directors:

Recommend that the Monterey County Water Resources Agency Board of Supervisors authorize the General Manager, subject to approval by County Counsel, to enter into standard agency time and materials construction contracts on an emergency basis for immediate repairs of the San Antonio Dam Spillway and the Nacimiento Dam Spillway for an amount not-to-exceed \$200,000 each; and authorize the General Manager to sign change orders to both contracts not-to-exceed in the aggregate \$100,000, for a total of all work not-to-exceed \$500,000.

SUMMARY/DISCUSSION:

Due to the recent spillway failure at the Oroville Dam in northern California, the California Department of Water Resources Division of Safety of Dams (DSOD) has initiated an immediate Spillway Assessment Program for all High Hazard Dams in the State. Both San Antonio and Nacimiento Dams are classified as “Extremely High Hazard”.

On May 17, 2017, Monterey County Water Resources Agency received a Spillway Assessment letter from DSOD. This letter required that a work plan be prepared and submitted for DSOD approval. The Spillway Work Plans, Attachment 2, were approved by the DSOD on July 24, 2017. The DSOD required an immediate Spillway Assessment by an approved consultant. A spillway assessment is in draft form now. The spillway assessment, once final, will discuss potential vulnerabilities in the dams and how those vulnerabilities might be exploited to cause damage. As such, the assessment is classified and confidential as critical infrastructure information (CII) and will not be available for public distribution.

Any work required to be completed by the final GEI work plan will be presented to the Boards of Directors and Supervisors in a format appropriate for the treatment of CII, and in accordance with the Open Meeting Law. Should the GEI work plans require amendment or modification of the Agency budget, a budget resolution will be presented to the Boards.

On July 7, 2017, DSOD staff and the Agency Chief Dam Safety Engineer and the Deputy General Manager conferred regarding the “minimum requirements” that must be completed before the rainy season (December 1st). Specifically, the minimum work entails filling joints and cracks, replacing damaged concrete, removing raised edges on downstream slabs and walls, and ensuring spillway drains are functional. This is the work being designated for the time and material contracts, as listed on Attachment 2 (Nacimiento and San Antonio spillway work plans).

The Public Contracts Code (§ 22050 (a) (1)) provides that in the case of an emergency, a public agency, pursuant to a four-fifths vote of its governing body, may repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts. As a result of storms and other weather related events during the winter of 2017, the County Administrative Officer proclaimed a local emergency on January 12, 2017, in accordance with California Government Code section 8630. The County Board of Supervisors ratified the emergency on January 19, 2017. The emergency has since been reviewed and extended on February 14, 2017, March 14, 2017, April 11, 2017, May 9, 2017, June 6, 2017, June 27, 2017, July 25, 2017, August 3, 2017 and August 29, 2017. The same conditions that caused the Oroville dam spillway failure, which conditions also were found to exist on a local basis in Monterey County, give rise to DSOD's requirement for the work on the San Antonio and Nacimiento spillways in order to respond to the emergency. The nature of the emergency will not permit a delay resulting from a competitive solicitation for bids, and completion of the spillway repairs is necessary to respond to the emergency.

The standard MCWRA construction contract form will be used, with appropriate modifications for these projects, and as approved by the County Counsel. MCWRA will provide specific requirements per DSOD approval for each phase of the work.

The work to be contracted is exempt from CEQA, both because it is maintenance and repair of an existing project, and due to the emergency to which it responds.

OTHER AGENCY INVOLVEMENT:

The County Administrative Officer, County Purchasing Officer and County Counsel have assisted in this work.

FINANCING:

The Agency has designated \$500,000 for this work from Fund 116, Dam Operations and Maintenance.

Prepared by: Brent Buche, Deputy General Manager, (831) 755-4860

Approved by:

David E. Chardavoyne, General Manager, (831)-755-4860

Attachments:

1. DSOD Letter
2. Work Plans, Nacimiento and San Antonio Dams
3. Board Order