

- **Board of Directors**
Engineering and Capital Programs Committee

January 8, 2008 Board Meeting

7-2

Subject

Authorize expenditure of \$774,000; and award a \$511,500 contract for Diamond Valley Lake Security and Wildlife Protection Fencing (Approp. 15334)

Description

Background

As mitigation for impacts to biological resources caused by the construction and operation of what is now known as Diamond Valley Lake (DVL), the Eastside Reservoir Project Final Environmental Impact Report (FEIR, 1991) included the establishment of a habitat conservation area. This conservation area, called the “Southwestern Riverside County Multi-Species Reserve,” (Reserve) was defined in the Southwestern Riverside County Multi-Species Habitat Conservation Plan (MSHCP, 1992), and consists of lands around DVL and Lake Skinner.

The East Recreation Area (ERA) “wildlife corridor,” which represents one component of the Reserve, is a 1,000-foot-wide corridor at the base of the east dam that connects the North Hills to the remainder of the Reserve south of DVL. The specific purpose of this corridor is to facilitate north-south movement of wildlife.

In 2002, the Diamond Valley Lake Park Specific Plan outlined potential land uses in the ERA, and recognized the proximity of human activity to the wildlife corridor. The Specific Plan, as well as the MSHCP, included security fencing on the border of the corridor to limit human and animal interactions, as well as keep people away from the East Dam and its associated sensitive monitoring equipment.

Though the vast majority of land in the ERA remains undeveloped, the recent completion of the DVL Visitor Center, Western Center for Archaeology and Paleontology, Valley-Wide Recreation and Park District’s Aquatic Center, and the upcoming completion of Valley-Wide’s DVL Community Park, justifies installation of the fence at this time.

The 2.8-mile-long, 6-foot-high chain-link fence will run from Domenigoni Parkway on the north to the southern end of the ERA. A dirt maintenance road that follows the fence alignment will also serve as an equestrian trail that connects the North Hills trailhead to southern portions of the ERA. Localized grading and drainage improvements are included in the scope of work.

The fence design and alignment were presented to and approved by the MSHCP Reserve Management Committee (RMC), the body that manages the Reserve. This committee consists of representatives from Metropolitan, the Riverside County Habitat Conservation Agency, the California Department of Fish and Game, the U.S. Fish and Wildlife Service, and the Riverside County Regional Park and Open Space District.

Authorize Expenditure of \$774,000 and Award a \$511,500 Construction Contract

Specifications No. 1581 for the DVL Security and Wildlife Protection Fencing and Road project was advertised on October 22, 2007. As shown in [Attachment 2](#), six bids were received and opened on November 20, 2007. The apparent low bidder, Wheeler Paving, Inc., requested to be relieved from its bid in accordance with the California Public Contract Code due to an inadvertent clerical error made during the bid process, which materially changed its bid. Upon review of the request and documentation submitted, Metropolitan released Wheeler from its bid.

The second low bid from Lightning Fence Co. of Poway, CA, in the amount of \$511,500, complies with the requirements of the specifications. The bids ranged up to \$682,480, while the engineer's estimate was \$780,000. Staff investigated the difference between the lowest responsive bid and the engineer's estimate, and attributes the difference to a higher estimate of the quantity of earthwork required and a more conservative material cost for fencing. For this contract, Metropolitan established a Small Business Enterprise (SBE) participation level of at least 22 percent of the bid amount. Lightning Fence Co. is an SBE firm and thus achieves 100 percent participation.

This action authorizes expenditure of \$774,000 in previously appropriated funds and awards a \$511,500 construction contract to Lightning Fence Co. In addition to the amount of the contract, the authorized funds include \$33,000 for Metropolitan force construction; \$65,000 for construction inspection; \$11,500 for biological monitoring; \$73,000 for all other staff support; \$10,000 for incidentals; and \$70,000 in remaining budget. Support activities include project management, coordination with the RMC and its member agencies, technical support during construction, and record drawing preparation. Metropolitan staff will perform construction management and inspection. For this project, the anticipated cost of inspection is approximately 12 percent of the total construction cost. Engineering Services' goal for inspection of construction contracts less than \$3 million is 9 to 15 percent.

The DVL Security and Wildlife Fencing project is consistent with Metropolitan's goals for sustainability by enhancing protection of sensitive biological resources around Diamond Valley Lake. This project has been evaluated and recommended by Metropolitan's Capital Investment Plan Evaluation Team and funds have been included in the fiscal year 2007/08 capital budget.

See [Attachment 1](#) for the Financial Statement and [Attachment 3](#) for the Location Maps.

Actions and Milestones

June 2008 – Completion of construction

Policy

Metropolitan Water District Administrative Code Section 5108: Appropriations

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The environmental effects from the funding, design, procurement of equipment, construction, and operation of the Diamond Valley Lake Park Specific Plan (Specific Plan) were evaluated in the Diamond Valley Lake Park Specific Plan Mitigated Negative Declaration (MND). The MND and Specific Plan were adopted by the Board on October 8, 2002. The Board also approved the Mitigation Monitoring Reporting Program (MMRP) and the Specific Plan itself. The Specific Plan included a security fence along the length of the wildlife corridor. The currently proposed Security and Wildlife Protection Fencing and Road would not result in any new significant environmental impacts, substantial new information, nor result in substantial changes to the approved Plan. Hence, the previously adopted environmental documentation in conjunction with the current board actions fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further environmental documentation is necessary for the Board to act on with respect to the proposed actions.

The CEQA determination is: Determine that the proposed actions have been previously addressed in the adopted 2002 MND and its MMRP, and that no further environmental analysis or documentation is required.

CEQA determination for Options #2 and #3:

None required

Board Options

Option #1

Adopt the CEQA determination and

- a. Award a \$511,500 contract to Lightning Fence Co. for DVL Security and Wildlife Protection Fencing; and
- b. Authorize expenditure of \$774,000 in previously appropriated funds.

Fiscal Impact: \$774,000 in previously appropriated funds under Approp. 15334

Business Analysis: This option will fulfill environmental mitigation requirements resulting from construction of Diamond Valley Lake, and provide added security for reservoir operations.

Option #2

Do not award the construction contract and re-advertise in an attempt to receive more favorable bids.

Fiscal Impact: Unknown

Business Analysis: This option would delay completion of the security/wildlife protection fence; would allow increasing potential interactions between humans and wildlife; would not isolate the East Dam and its monitoring equipment from visitors; and may or may not result in more favorable bids.

Option #3

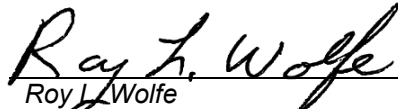
Defer fencing project until a later date.

Fiscal Impact: None

Business Analysis: This option will not fulfill environmental mitigation requirements resulting from construction of Diamond Valley Lake, and will not provide added security for reservoir operations.

Staff Recommendation

Option #1



 Roy L. Wolfe
 Manager, Corporate Resources

12/17/2007
Date



 Jeffrey Kightlinger
 General Manager

12/17/2007
Date

Attachment 1 – Financial Statement

Attachment 2 – Abstract of Bids

Attachment 3 – Location Maps

BLA #5786

Financial Statement for Diamond Valley East Recreation Program

A breakdown of Board Action No. 19 for Appropriation No. 15334 for construction of a Wildlife and Security Fence within the Diamond Valley East Recreation Area is as follows:

	Previous Authorized Amount (Aug. 2005)	Budget Redistributions (May-July 2006)*	Current Board Action No. 19 (Jan. 2008)	New Total Authorized Amount
Labor				
Final Design	\$ 8,195,280	\$ 106,000	\$ -	\$ 8,301,280
Owner Costs (Program mgmt, bid process)	11,343,800	3,840	76,500	11,424,140
Construction Inspection and Support	2,398,680	-	65,000	2,463,680
Metropolitan Force Construction	450,000	52,160	18,000	520,160
Materials and Supplies	643,000	5,000	15,000	663,000
Incidental Expenses	583,615	7,000	10,000	600,615
Professional/Technical Services (Environmental monitoring)	11,332,000	38,000	8,000	11,378,000
Equipment Use	95,700	14,000	-	109,700
Contracts	31,822,140	-	511,500	32,333,640
Remaining Budget	1,284,203	(226,000)	70,000	1,128,203
Total	\$ 68,148,418	\$ 0	\$ 774,000	\$ 68,922,418
Remaining Undistributed Funds	\$ 24,651,582			\$ 23,877,582

* Funding was redistributed for the following projects: Seepage Discharge Pipe (103732); Marina Improvements (103820); Security & Wildlife Protection Fencing (103821); and Salt Creek Channel Improvements (103822).

Funding Request **

Program Name:	Diamond Valley Lake East Recreation		
Source of Funds:	Revenue Bonds, Replacement and Refurbishment or General Funds		
Appropriation No.:	15334	Board Action No.:	19
Requested Amount:	\$ 774,000	Capital Program No.:	15334-R
Total Appropriated Amount:	\$ 68,922,418	Capital Program Page No.:	E-23
Total Program Estimate:	\$ 92,800,000	Program Goal:	Stewardship

** Funds have been previously appropriated.

The Metropolitan Water District of Southern California

Abstract of Bids Received on November 20, 2007 at 2:00 P.M.

Specifications No. 1581

Diamond Valley Lake Security and Wildlife Protection Fencing and Road

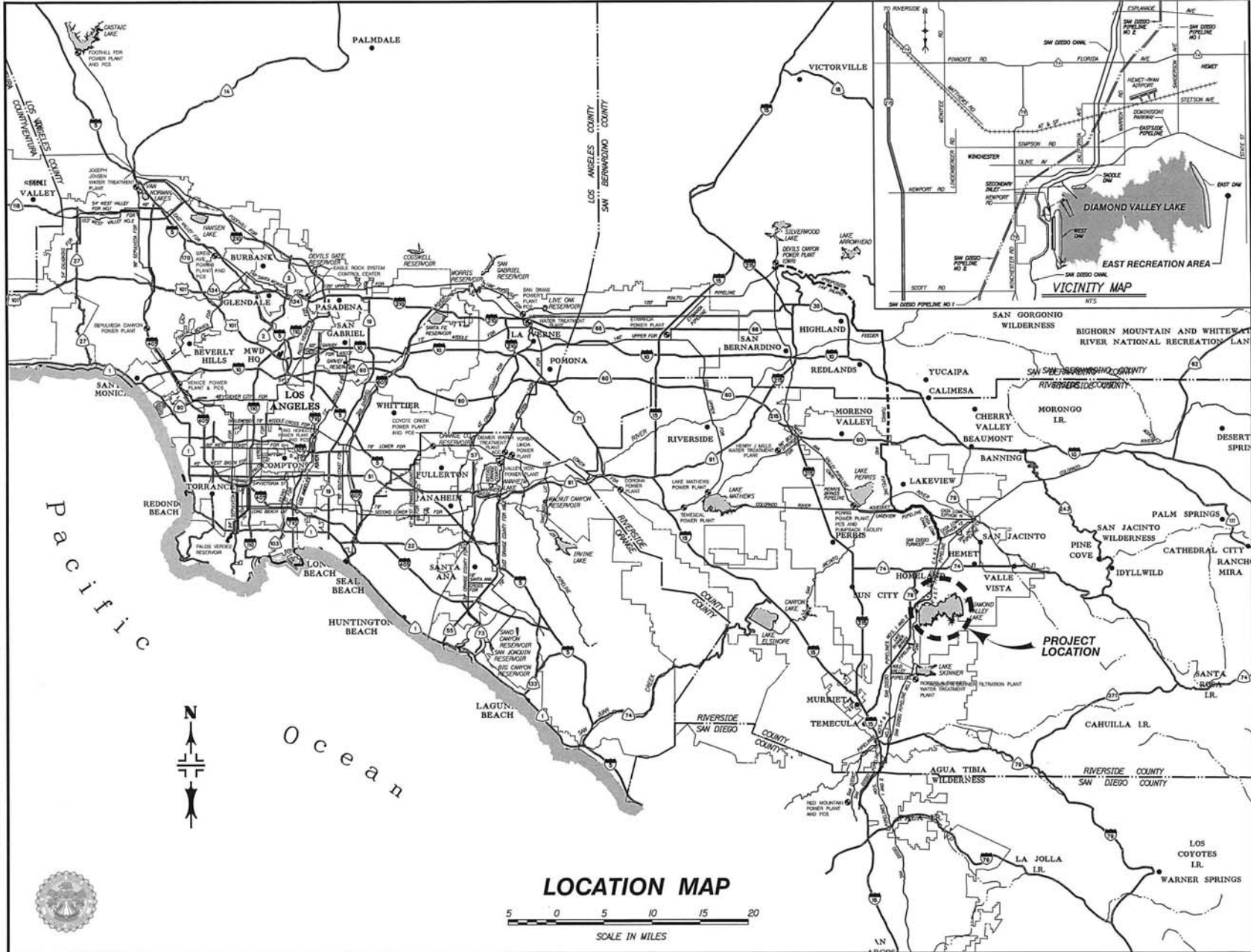
The project consists of demolition of approximately 2,500 feet of existing fencing; construction of approx. 15,000 feet of new fencing and maintenance road (15-foot wide) between the Diamond Valley Lake East Recreation Area and wildlife corridor; and appurtenant work.

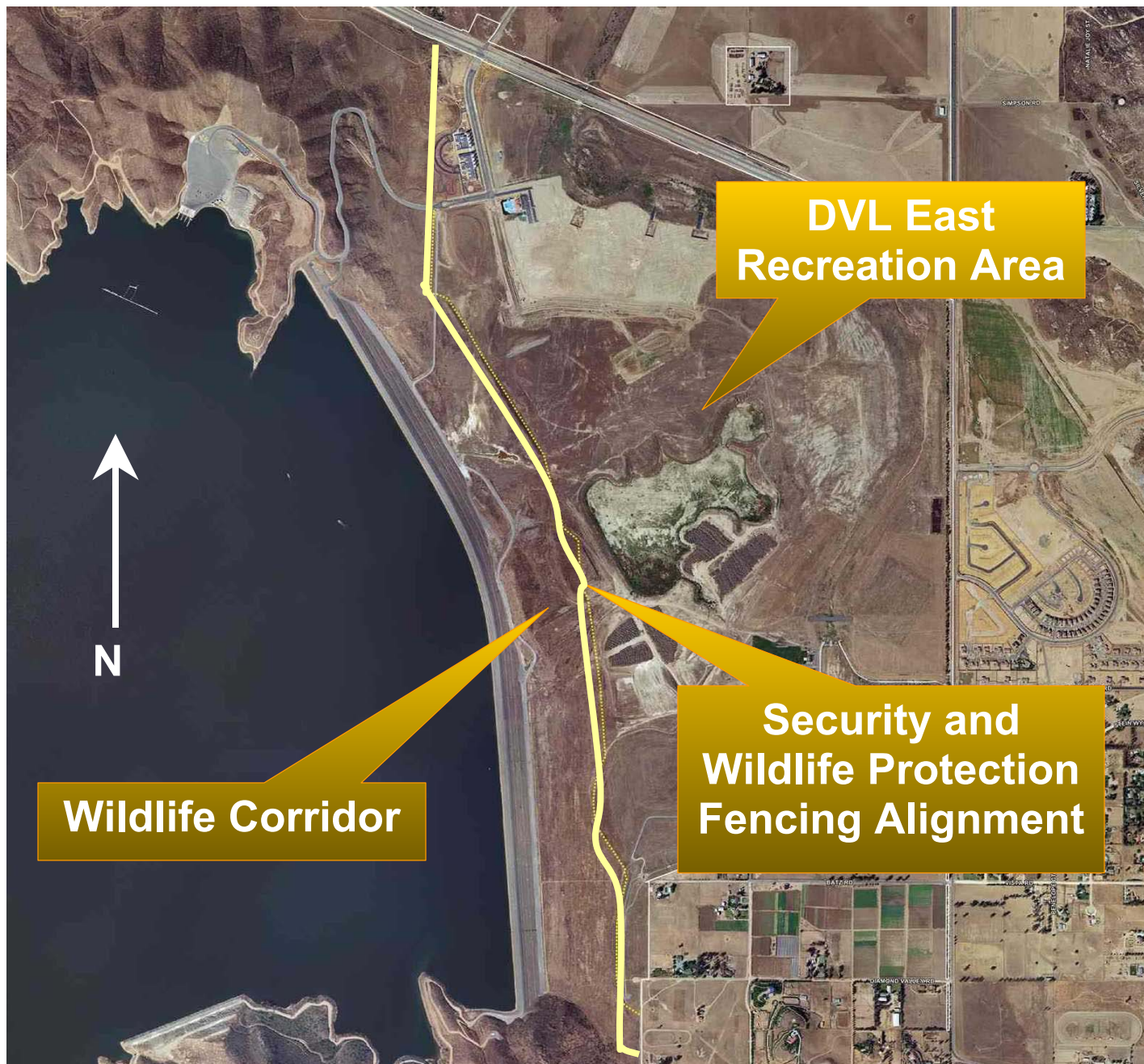
Engineer's Estimate: \$780,000

Bidder and Location	Total	SBE \$	SBE %	Met SBE**
*Wheeler Paving, Inc., Riverside	\$425,000	N/A	N/A	N/A
Lightning Fence Co., Poway	\$511,500	\$511,500	100%	Yes
Grand Pacific Contractors, Inc., Mira Loma	\$586,364	N/A	N/A	N/A
L. D. Anderson, Inc., Bloomington	\$593,700	N/A	N/A	N/A
Hemet Mfg. Co., Inc. dba Genesis Construction, Hemet	\$594,777	N/A	N/A	N/A
Road Builders, Inc., Murrieta	\$682,480	N/A	N/A	N/A

* Wheeler Paving, Inc. requested to be relieved from its bid in accordance with the California Public Contract Code due to an inadvertent clerical error, which materially changed its bid for the project. Upon review of the request and documentation submitted, Metropolitan released Wheeler from its bid.

** SBE (Small Business Enterprise) participation set at 22 percent
N/A – Not Applicable





Location Map