



CITY OF

NEWPORT BEACH

City Council Staff Report

June 8, 2021
Agenda Item No. 10

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Big Canyon Restoration Project – Phase 2A: Notice of Completion for
Contract No. 8208-2 (20X12)

ABSTRACT:

On June 9, 2020, the City Council awarded the Big Canyon Restoration Project - Phase 2A to Environmental Construction, Inc. (ECI). The work is now complete and staff requests City Council acceptance to close out the contract.

RECOMMENDATION:

- a) Accept the completed work and authorize the City Clerk to file a Notice of Completion for the project;
- b) Authorize the City Clerk to release the Labor and Materials Bond 65 days after the Notice of Completion has been recorded in accordance with applicable portions of Civil Code; and
- c) Release Faithful Performance Bond one year after acceptance by the City Council.

DISCUSSION:

Overall Contract Cost/Time Summary

Awarded Contract Amount	Final Cost at Completion	Contingency Allowance	Actual Contract Change	% Due to Directed Change	% Due to Unforeseen Change
\$ 985,348.00	\$1,303,338.34	36% or less	+32%	+9%	+23%
Allowed Contract Time + Approved Extensions (days) =		130	Actual Time Under (-) or Over (+)		-56

As envisioned, the original 12.9-acre restoration of the middle portion of the Big Canyon Nature Park included clearing a 6.8-acre portion invaded by non-native Brazilian Pepper Trees and restoring this area with native trees and plants. The remaining 6.1-acre area was planned for selective removal of individual Brazilian pepper trees and other non-native trees found within healthy groves of willows.

However, during initial clearing operations that allowed the design consultant's biologists to investigate deep into the forested area, four acres of willows were found to be infested with the polyphagous shot hole borer that required removal. (See Attachment A, Location Map.) This increased the total clear-cut acreage to 10.8 acres, a 60 percent increase over the originally anticipated 6.8 acres.

The extra budget needed to clear and restore this additional four acres was funded through the grant-eligible contingency; no additional City of Newport Beach funds were required. The additional work included chipping cut trees, hauling-off mulch for disposal, stockpiling and solarizing the chipped infested-willows, grading to remove roots and debris, applying soil supplements, installing temporary irrigation, and providing additional plants and hydroseed. The City Council approved the increase of the contingency to 36 percent on November 24, 2020.

The contracted work has now been completed to the satisfaction of the Public Works Department. The summary of the overall construction cost follows.

Original Bid Amount:	\$	985,348.00
Actual Cost of Bid Items Constructed:	\$	925,488.00
Total Change Orders:	\$	377,850.34
Final Contract Cost:	\$	1,303,338.34

The final contract cost was \$1,303,338.34, which was approximately 32 percent higher than the original bid amount, of which about three-fourths of the additional costs were associated with restoring the additional four acres of the park. There were 23 contract change orders approved for the project.

A summary of the project schedule is as follows:

Estimated Start of Construction per Annual Baseline Schedule	09/01/2020
Actual Start of Construction Per Notice to Proceed	09/01/2020
Actual Substantial Construction Completion Date	12/26/2020
Extended Contract Completion Date Inclusive of Extra Work	03/21/2021

Construction was completed substantially ahead of schedule, in large measure due to ECI prioritizing the project and committing full crews for the entire duration of the project.

After the construction was completed, ECI was required to establish and maintain the installed plants for a 120-day duration, which started on December 26, 2020 and was successfully completed on April 22, 2021.

FISCAL IMPACT:

Grants for the project were secured by Newport Bay Conservancy from the State Coastal Conservancy and California Department of Fish and Wildlife (Environmental Contributions). Additional funding from the Upper Newport Bay Restoration Fund, a tidelands trust fund designated for construction of improvements that benefit the Upper Newport Bay, was used for auxiliary improvements to the park trail and surrounding park amenities. Funds for the construction contract were expended from the following accounts:

<u>Account Description</u>	<u>Account Number</u>	<u>Amount</u>
Environmental Contributions	13801-980000-20X12	\$ 1,242,848.00
Upper Newport Bay Restoration Fund	10001940-980000-20X12	\$ 60,490.34
Total:		\$ 1,303,338.34

ENVIRONMENTAL REVIEW:

On June 9, 2020, the City Council found the requirement for environmental review under the California Environmental Quality Act (CEQA) is satisfied by the January 22, 2019 Council adoption of Resolution No. 2019-9, a Resolution of the City Council of the City of Newport Beach, California, Adopting Mitigated Negative Declaration No. ND2018-001 (SCH No. 2018081098) for the Big Canyon Coastal Habitation Restoration and Adaptation Project – Phase 2A (PA2018-078), including the Mitigation Monitoring and Reporting Plan, prepared for the Big Canyon Coastal Habitat Restoration and Adaptation Project – Phase 2A (PA2018-078), pursuant to the California Environmental Quality Act, State CEQA Guidelines and City Council Policy K-3.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Location Map