

**TO:** James L. App, City Manager

**FROM:** Meg Williamson, Assistant City Manager  
Doug Monn, Director of Public Works

**SUBJECT:** Sulfur Spring – City Hall/Library Parking Lot Repair

**DATE:** September 18, 2007

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**NEEDS:** For the City Council to consider allocation of funding to complete the preparation of plans and specifications and construction services for the repair of the City Hall/Library parking lot.

- FACTS:**
1. The December 22, 2003 earthquake ruptured an underground thermal sulfur spring that surfaced in the City Hall/Library parking lot.
  2. The City engaged geologists and hydro geologists to determine the source, nature and extent of the thermal spring's activity, as well as evaluate mitigation options.
  3. The City issued a Request for Qualifications (RFQ) for engineering firms to evaluate repair solutions. As a result, Boyle Engineering was awarded a \$134,500 contract to develop a repair solution for the parking lot and a proper disposal protocol for the spring flow.
  4. In November 2004, preliminary repair and disposal alternatives were submitted to FEMA/OES. A formalized set of project repair alternatives were later proposed in January 2005, resulting in additional dialogue with public agencies responsible for regulatory oversight of the disposal of the spring water.
  5. The City's "preferred" repair method and disposal alternative was submitted to FEMA/OES for review and comment on May 19, 2006, with a request that FEMA proceed with the environmental review segment of the process.
  6. The preferred/final repair for the parking lot will use an infiltration gallery and bridge system as a method of collecting the spring flow before filling and re-compacting the earth beneath the parking lot to restore its original use. After its collection, the spring flow will be conveyed to City owned property on Paso Robles Street (City Water Yard) via an underground pipe system, where it would then be percolated into the soil using a leach field.
  7. FEMA completed the NEPA (federal) environmental review of the City's proposed project repair scope in July, 2007.

8. The City is now engaged in the CEQA (state level environmental) review process. The CEQA documentation is expected to be complete by the end of September, and is anticipated to result in archaeological/cultural mitigation measures in conjunction with repair work. Depending on the costs associated with this monitoring work, a separate service contract and additional cost appropriation may be brought back to City Council for action in the future.
9. With the completion of the federal environmental process, FEMA has authorized the City to complete the project design and prepare specifications and bid documents.
10. On July 6, 2007, staff requested a scope of work, schedule and cost from Boyle Engineering to complete the design, prepare specifications, bid documents and provide construction management services. This is work beyond the current scope of their contract.
11. Boyle Engineering has performed well during these past several years of preliminary design negotiation with FEMA. Continuation of a service contract with Boyle Engineering is the most appropriate and cost efficient course at this time based on their familiarity with the project. Boyle is uniquely positioned to complete the design and provide services to facilitate these repairs.

**ANALYSIS  
AND**

**CONCLUSION:** The City of Paso Robles has been pursuing mitigation of the sulfur spring since 2004. The recommended repair provides a practical solution to address disposal of the spring waters and restoration of the City Hall parking lot to pre-earthquake standards. The suggested method of disposal has been accepted by FEMA/OES and other regulatory agencies involved in review. Additionally, the on-going reoccurring maintenance costs are minimal with the proposed repair solution. Boyles' assistance with design implementation and construction management through completion of the project is anticipated to be reimbursable by FEMA.

**FISCAL  
IMPACT:**

The proposal cost by Boyle Engineering for completion of the design and requested work is \$382,311. Additionally, staff is suggesting a 10% contingency amount of \$38,000 be provided to allow for reimbursable and/or unforeseen conditions that may occur in the course of construction requiring modification of the design. Approximately \$64,855 still remains from the original disposal protocol development phase. Therefore, completion of this phase of the earthquake repair project will require an allocation of \$355,500.

As with other earthquake repairs, this money would be appropriated from General Fund Reserves. However, because of the anticipated reimbursements from FEMA for these repairs, there will be off-setting revenue.

When design drawings are complete, the City will go out to bid to obtain the cost and timing of construction of the actual physical repairs. At that time, the City Council will be asked to award a contract and allocate the necessary funds for the repair. All indications at this time are that the FEMA will refund the costs incurred by the City for these earthquake repairs.

- OPTIONS:**
- a. Adopt Resolution 07-xxx:
    - 1) Appropriating \$355,500 from the General Fund Reserves to Account No. 100-820-5452-260; and
    - 2) Authorizing the City Manager to enter into an Agreement with Boyle Engineering for preparation of plans, specifications, and construction management necessary to repair the parking lot damage caused by the December 22, 2003, earthquake for a not-to-exceed sum of \$382,311.
  - b. Amend, modify, or reject the above option.

Attachments (2)

- 1) Resolution
- 2) Boyle Scope of Work (Exhibit A)

RESOLUTION NO. 07-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES  
ALLOCATING FUNDING TO COMPLETE THE DESIGN FOR REPAIR AND MITIGATION OF  
THE CITY HALL PARKING LOT AND TO PROVIDE CONSTRUCTION SERVICES

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WHEREAS, in April 2004, the City Council awarded Boyle Engineering a contract to develop a repair protocol for mitigation of the spring at the City Hall Parking lot resulting from a December 22, 2003 earthquake; and

WHEREAS, FEMA/OES have determined that the recommended repair is acceptable and authorized the City to pursue completion of final design drawings and bid specifications which institute the repair; and

WHEREAS, Boyle Engineering has preformed well during these past several years of preliminary design negotiation with FEMA and Boyle Engineering is uniquely positioned to complete the design and provide services to facilitate these repairs; and

WHEREAS, it would be most cost effective and efficient to amend the contract with Boyle Engineering to complete the design and provide construction management services to complete the work at a cost of \$382,311; and

WHEREAS, \$64,855 remains from the original contract which will be incorporated into the new service contract scope and cost;

WHEREAS, a ten percent (10%) contingency in the amount of \$38,000 is recommended by staff to provide for reimbursables and any unforeseen conditions or modifications in project scope that may occur; and

WHEREAS, monies appropriated from General Fund Reserves are anticipated to be refunded from FEMA.

THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of El Paso de Robles does hereby appropriate \$355,500 from General Fund Reserves to Account No. 100.820.5224.2601.

SECTION 2. The City Council does hereby authorize the City Manager to amend the existing contract with Boyle Engineering to complete the design, draft bid specifications and provide construction services in the amount of \$382,311 per the attached exhibit "A" (Scope of Services dated September 4, 2007).

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 18<sup>th</sup> day of September, 2007 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Deborah D. Robinson, Deputy City Clerk