



COUNCIL REPORT

DATE: April 22, 2025

CATEGORY: Consent

DEPT.: Public Works

TITLE: **Citywide Trash Capture, Phase II, Project 22-40—Construction Contract**

RECOMMENDATION

Authorize the City Manager or designee to award a construction contract for Citywide Trash Capture, Phase II, Project 22-40, to K.J. Woods Construction, Inc. (California Entity No. 1834949) for \$618,520.

BACKGROUND

The City is a member of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), which is an association of 13 cities and towns in the County of Santa Clara, and the Santa Clara Valley Water District. These entities share a common National Pollutant Discharge Elimination System (NPDES) municipal stormwater permit, commonly referred to as the Municipal Regional Permit (MRP), from the San Francisco Regional Water Quality Control Board (Water Board), which regulates stormwater discharge into South San Francisco Bay. Under the previous permit iteration (MRP 2.0), the City achieved the required 80% stormwater trash reduction through various methods, including installation of large trash capture units in strategic areas, street sweeping, storm drain inlet cleaning, and outreach programs. However, the updated permit (MRP 3.0) has eliminated some of these trash reduction method credits and mandates a 100% trash reduction benchmark by June 30, 2025, to be achieved by some of the former reduction methods as well as new processes and analyses.

In fall 2023, staff consulted with SCVURPPP for technical assistance to meet the MRP 3.0 requirements. SCVURPPP indicated that full compliance would likely require a Citywide implementation of full trash capture infrastructure. Public Works staff, in collaboration with the Fire and Environmental Protection Division, determined that demonstrating active progress toward compliance is crucial to remain in regulatory compliance. The first step was developing a comprehensive trash load reduction action plan to identify optimal locations for small and/or large full trash capture (FTC) systems in the City.

Subsequently, the City hired EOA, Inc., an environmental consultant, to develop an action plan to comply with the 100% trash reduction requirement. EOA has since provided the City with a

draft implementation plan, which includes various scenarios to achieve 100% trash reduction in the storm drain system. Initially, staff intended to present this plan and discuss the potential alternatives with the Water Board as an interim step towards a full solution, which would have allowed more time for further evaluation and implementation.

However, during a January 2025 interagency meeting, the Water Board emphasized the risk of cease-and-desist orders for agencies failing to meet the 100% trash load reduction benchmark by June 30, 2025. As a result, the City could no longer spend time to conduct detailed analysis of alternatives. Instead, staff selected to install 207 full trash capture devices in existing storm drain inlets to meet the requirements most efficiently and expeditiously.

ANALYSIS

Staff evaluated several types of state-approved full trash capture (FTC) devices, including connector pipe screens and basket-type filters. After extensive research of FTC devices and a review of devices through visits with neighboring agencies, staff selected the Revel Environmental Manufacturing (REM) Triton Top Hat (Top Hat) as the preferred solution. The REM devices are certified by the Water Board for full trash capture compliance.

The City has already installed over 20 REM Top Hat full trash capture devices. Staff determined that the REM device offers superior maintainability and operational reliability. Standardizing the use of this device also reduces training needs, inventory requirements, and long-term maintenance costs. Due to the approaching June 30, 2025 compliance deadline under MRP 3.0 and the potential for regulatory action by the Water Board, staff pursued a sole brand procurement strategy.

Staff prepared plans and specifications for the installation of REM full trash capture devices in 207 catch basins Citywide, shown on the location map in Attachment 1. The Engineer's Estimate was under \$250,000, and staff advertised the purchase and installation of the REM FTC devices for construction bids on March 31, 2025.

Bid Results

On April 10, 2025, the City received a single bid from K.J. Woods Construction, Inc., in an amount of \$488,520. The Engineer's Estimate was \$225,000, which was based on the manufacturer's unit pricing and typical installation assumptions. The \$263,520 difference in the base bid is attributed to higher-than-anticipated installation and incidental costs. The project was advertised with one add-alternate for traffic control. The price received for the bid alternate is \$100,000, which exceeded the estimate by \$82,000. The higher price may reflect the contractor's assessment for more extensive measures than anticipated.

While the bid amount is substantially higher than estimated, rebidding the project may not result in additional bids or lower pricing. Given the uncertainties associated with rebidding, time constraints, and the need to maintain progress toward compliance with the Water Board's June 30, 2025 deadline, staff recommends awarding the contract including the add-alternate to provide the needed traffic control measures for safe installations on City streets. The recommended contract award is \$618,520, which includes a \$30,000 construction contingency to address any unforeseen conditions during construction.

Upon Council approval, staff will immediately work with the contractor for a timely contract execution and issue a notice-to-proceed. In accordance with MRP 3.0 requirements, staff will also submit to the Water Board a revised Trash Load Reduction Plan, including a copy of the executed construction contract and an installation schedule demonstrating timely progress toward compliance.

FISCAL IMPACT

Citywide Trash Capture, Phase II, Project 22-40, is currently funded with \$1,130,000 from the Wastewater Fund, which is sufficient for the recommended contract of \$618,520. No additional appropriation is being requested at this time.

LEVINE ACT

California Government Code Section 84308 (also known as the Levine Act) prohibits city officials from participating in any proceeding involving a "license, permit, or other entitlement for use" if the official has received a campaign contribution exceeding \$500 from a party, participant, or agent of a party or participant within the last 12 months. The Levine Act is intended to prevent financial influence on decisions that affect specific, identifiable persons or participants. For more information see the Fair Political Practices Commission website: www.fppc.ca.gov/learn/pay-to-play-limits-and-prohibitions.html

Please see below for information about whether the recommended action for this agenda item is subject to or exempt from the Levine Act.

EXEMPT FROM THE LEVINE ACT

Competitively bid contract

ALTERNATIVES

1. Reject the bid and direct staff to rebid the project.
2. Provide other direction.

PUBLIC NOTICING—Agenda posting.

Prepared by:

Salman Husaini
Associate Civil Engineer

Reviewed by:

Tina Tseng
Principal Civil Engineer/Engineering and
Environmental Compliance

Lisa Au
Assistant Public Works Director

Approved by:

Jennifer Ng
Public Works Director

Audrey Seymour Ramberg
Assistant City Manager

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Attachment: 1. Proposed Full Trash Capture Device Location Map