



## COUNCIL REPORT

**DATE:** June 24, 2025

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** San Antonio Area Sewer Main Improvements—Phase II, Project 19-45—Construction Acceptance

### **RECOMMENDATION**

Accept San Antonio Area Sewer Main Improvements—Phase II, Project 19-45, and authorize the final contract payment.

### **BACKGROUND AND ANALYSIS**

“Acceptance” of a construction contract is a legal event recognized by State Law when the City verifies that the contractor has satisfactorily completed a public project. Once accepted, the work on the public project is complete and other actions occur, such as final payment to the contractor and the release of bonds obtained by the contractor that ensure completion of the project. Following acceptance, the City becomes responsible for maintenance of the public project.

### **San Antonio Area Sewer Main Improvements—Phase II, Project 19-45**

On [October 10, 2023](#), Council took the following actions on the project:

1. Found that in accordance with California Environmental Quality Act requirements, San Antonio Area Sewer Improvements, Construction (Phase II), Project 19-45, was statutorily exempt under California Public Resources Code Section 21080.21.
2. Appropriated and transferred \$589,000 from the Wastewater Capacity Fee to San Antonio Area Sewer Improvements, Construction (Phase II), Project 19-45, increasing the project budget from \$1,760,000 to \$2,349,000.
3. Approved plans and specifications for the San Antonio Area Sewer Improvements Project and authorized staff to advertise the projects for bids.
4. Authorized the City Manager or designee to award a construction contract to the lowest responsible responsive bidder if the low bid was within the project budget of \$2,349,000.

5. Authorized the City Manager or designee to amend the design professional services agreement with West Yost & Associates, Inc., to provide bid support, construction support, and permit coordination for San Antonio Area Sewer Improvements, Construction (Phase II), Project 19-45, to increase compensation by \$65,996 for a total not-to-exceed amount of \$145,000.
6. Authorized the City Manager or designee to execute a professional services agreement with Tanner Pacific, Inc., to provide construction engineering services for San Antonio Area Sewer Improvements, Construction (Phase I), Project 19-45, in a not-to-exceed amount of \$232,740.

On December 11, 2023, the City received one bid at \$1,948,000. The bid was approximately 45% higher than the Engineer's Estimate, and due to the uncertainties associated with rebidding, staff recommended awarding the construction contract to K.J. Woods Construction, Inc.

On [January 23, 2024](#), Council took the following actions on the project:

1. Appropriated and transferred \$494,000 from Wastewater Capacity Fee Fund to San Antonio Area Sewer Improvements, Construction (Phase II), Project 19-45, increasing the project budget from \$2,349,000 to \$2,843,000.
2. Authorized the City Manager or designee to award a construction contract to K.J. Woods Construction, Inc, for \$2,009,000, which included a \$183,000 construction contingency.

This project included the construction of 582 linear feet of sanitary sewer main, four new sanitary sewer manholes, and one new sanitary sewer metering manhole.

The final construction cost of \$1,833,000 is within the construction contract amount of \$2,009,000 and included one contract change order for \$8,400 and a final quantity adjustment change order resulting in contract savings of \$176,000. All work has been completed in accordance with the approved plans and specifications.

### **FISCAL IMPACT**

San Antonio Area Sewer Main Improvements—Phase II, is funded with \$6,223,000 from the Wastewater Capacity Fees Fund and \$530,000 from the Wastewater Fund, for a total project budget of \$6,753,000.

The total Phase II construction expenditure is estimated to be approximately \$2,330,272 and is within the allotted budget, including design, project administration, construction management,

inspection, and other costs. The remaining funds will be used toward completing Phase I of the project, with construction anticipated to begin in summer 2025. (The Phase II project was taken out of sequence.)

### **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](http://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. Determine that the improvements have not been completed in conformance with City standards and decline to accept the improvements until they are completed to the satisfaction of the City Council.
2. Provide other direction.

**PUBLIC NOTICING**—Agenda posting.

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