

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda date: November 5, 2012
Reviewed by: BP

SUBJECT: 2012 Sewer Project - East Albany Hill and North of Brighton, Contract No. C11-14, CIP Project Nos. P48 and P82

FROM: Jeff Bond, Community Development Director
Rich Cunningham, Public Works Manager
Ana Bernardes, Project Manager

RECOMMENDATION

Authorize the City Manager to enter into agreements related to the 2012 Sewer Rehabilitation Project on the West Side of Albany Hill and North of Brighton Avenue, including

1. Associated Right of Way Services (AR/WS) to assist with the acquisition of temporary and permanent easements for sanitary sewers for an amount not to exceed \$25,000.
2. Leptien, Cronin, Cooper, Morris & Poore, Inc. (LCC) to provide right of way exhibit maps, legal descriptions and plats for the easements and agreements with property owners for an amount not to exceed \$25,000.
3. A title company to be determined to conduct title searches and reports in support of easement services for an amount not to exceed \$20,000.

SUMMARY

The proposed rehabilitation of sanitary sewers on the west side of Albany Hill and north of Brighton Ave. will require the acquisition of City easements over private property. The acquisition of easements involves complex series of procedural steps that can most efficiently be completed by professionals that specialize in these services. Secure easement rights is necessary for the implementation of the project.

BACKGROUND

Prior to 1980, discharges from the sanitary sewer system in the East Bay, either from manholes in the streets, or at the East Bay Municipal Utility District (EBMUD) regional treatment plant located at the foot of the Bay Bridge, frequently occurred during wet weather events. These sanitary sewer overflows were deemed by the Environmental Protection Agency and the State and Local Water Boards to pose a threat to the public health and safety. The problem was that large amounts of surface water entered the sanitary sewer system through illicit connections to the storm drain system and ground water commonly entered sanitary pipes where the vitrified clay pipes were cracked or where the joints were offset.

Since 2005, the City has been implementing a Sewer System Management Plan (SSMP) developed in accordance with the requirements of the State Water Board and Environmental Protection Agency. Although the total amount of storm water that enters the City's collection system has been reduced by nearly one third, and the program has significantly reduced the probability of the occurrence of an overflow from the City's sanitary sewer system, the EPA requires the City to nearly double the rate of replacement of the City's sanitary sewer system.

The Asset Management and Implementation Program (AMIP) prioritize sewer repair projects based upon condition, probability for failure and environmental consequence. The AMIP identified the sewers on the West side of Albany Hill and the sewer North of Brighton and east San Pablo Avenue as the highest priority sewers in the replacement program. On July 18, 2011, the Council approved an agreement for consultant services with Harris and Associates (Harris) for the design of the rehabilitation program in the two areas.

DISCUSSION

When possible, the City prefers to locate sewer mains in public streets for ease of access and maintenance. In some cases, however topography or other physical constraints require City sewers to route through private property. In this case, Harris studied the possibility of relocating the portion of the sewers on the west side of Albany Hill and north of Brighton, but found that the cost of this alternative was significantly higher than maintaining the current alignments through private property. As a result, in several locations, the new sewer lines are proposed to be constructed on private property, but relocated from beneath a building to the side yard. An Exhibit Map showing the sewers proposed to be rehabilitated or replaced on the west side of Albany Hill and North of Brighton is attached.

The change in sewer alignment for these sewers must be approved by the property owners. When new easements are required, it is necessary to prepare legal descriptions and plat maps that describe the easements to be dedicated and or abandoned. Harris recently submitted 65% plans, specifications, and estimates (PS&E) for the project to the City Engineer. In order for Harris to proceed to completion of the 100% PS&E, a number of right of way issues must be resolved.

FINANCIAL IMPACT

Attached a proposal and estimate from Associated Right of Way Services (AR/WS) for assistance. AR/WS has been provided similar services to the City since 1987, and most recently on the East Albany Hill sewer rehabilitation project. AR/WS proposes to provide the services on a time and materials basis for a total amount not to exceed \$25,000 without written authorization.

Also attached is a proposal from LCC, to provide legal descriptions and plats for the project. As proposed, LCC will provide services pursuant to its existing agreement for services with the City on a time and materials basis for an amount not to exceed \$25,000 without written authorization.

It will be necessary to contract with a qualified title company to real property title services. Total estimated cost of the Title company services is \$20,000.

The budget for these services is provided for under CIP Project P48 and P82 from Sewer Fund 713. If necessary, the project may have to be phased in order to accumulate sufficient revenues

for construction in the fiscal year. This determination will be made after the right of way phase has been completed and prior to advertising the project for construction.

As proposed, right of way services would be completed in approximately 6 months, in time to advertise the project for construction this summer.

Attachments:

Exhibit Map

Proposal from Associated Right of Way Services

Proposal or Task Order for LCC for Legal Descriptions and Plats