

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



ITEM: 12.1
(ID # 11686)

MEETING DATE:

Tuesday, February 11, 2020

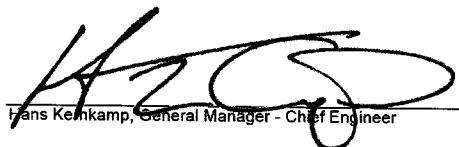
FROM: DEPARTMENT OF WASTE RESOURCES:

SUBJECT: DEPARTMENT OF WASTE RESOURCES: Approval of Contract Documents for Construction of Ground Water Wells at the Closed Highgrove Landfill, District 2. [\$0 - Department of Waste Resources Enterprise Funds] (CEQA Exempt)

RECOMMENDED MOTION: That the Board of Supervisors:

1. Find that the Project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (General Rule for Exemption), and categorically exempt pursuant to Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15304 (Minor Alterations of Land);
2. Approve the Plans and Specifications and Contract Documents for groundwater monitoring well construction near the closed Highgrove Landfill;
3. Authorize the General Manager-Chief Engineer of the Riverside County Department of Waste Resources (Department) to advertise for bids to be received by the Department Office located at 14310 Frederick Street, Moreno Valley, up to the hour of 10:00 am on Thursday, March 12, 2020 at which time the bids will be opened; and
4. Direct the Department of Waste Resources to file the Notice of Exemption with the County Clerk upon approval of the Project.

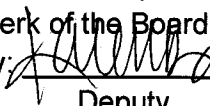
ACTION:Policy


Hans Kemkamp, General Manager - Chief Engineer 1/28/2020

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Spiegel and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Spiegel, Washington, Perez and Hewitt
Nays: None
Absent: None
Date: February 11, 2020
xc: Waste

Kecia R. Harper
Clerk of the Board
By: 
Deputy

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FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ 0	\$ 0	\$ 0	\$ 0
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0
SOURCE OF FUNDS: Waste Resources Enterprise Funds			Budget Adjustment:	No
			For Fiscal Year:	2019/2020

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The closed Highgrove Landfill is under the regulatory oversight of the California Regional Water Quality Control Board – Santa Ana Region (CRWQCB). Pursuant to the California Code of Regulations Title 22, Section 20420, the CRWQCB requires the Department to implement a new evaluation monitoring program. To implement this program, the Department needs to construct new groundwater monitoring wells.

A C-57 California Contractor’s License, which the Department does not have, is required to construct groundwater monitoring wells.

CEQA Findings

The Project is exempt from CEQA pursuant to the State CEQA Guidelines Section 15061(b)(3) (General Rule for Exemption), and categorically exempt from CEQA pursuant to Sections 15301 (Existing Facilities), 15303 (New Construction or Conversion of Small Structures), and 15304 (Minor Alterations of Land).

The Project contemplated in this Form 11 involves approval of contract documents for the proposed construction of groundwater monitoring wells near the closed Highgrove Landfill. The Contract Documents, including Specifications, will be advertised, and ultimately, a contractor will be selected to complete the work (under a separate Board action). Project activities will consist of the installation of groundwater monitoring wells, and routine monitoring of these wells, near the closed landfill and would not affect any sensitive species, protected habitat, or archaeological/cultural resources since installation will occur on previously graded land and an existing disturbed access road. The Project involves no expansion of approved uses. This work would not have a direct, indirect, or cumulatively significant effect on the environment. A Notice of Exemption (NOE) to this effect will be filed by the Department with the County Clerk upon Project approval.

Impact on Residents and Businesses

The contract ensures that the closed Highgrove Landfill will maintain compliance with environmental regulations enforced by the CRWQCB.

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Additional Fiscal Information

The project contemplated in this Form-11 merely approves contract documents identifying proposed work at closed Highgrove Landfill, as well as authorizes the Department to advertise said contract documents. No expenses will be incurred in FY 19/20 as a result of this action.

Contract History and Price Reasonableness

The Engineer's estimate for this project is \$210,000 and the action today, if approved, will authorize the Department to pursue competitive bids through the California Public Works Contract process. The Department will then return to the Board of Supervisors to seek approval to award the Contract to the lowest responsible bidder.

ATTACHMENTS:

ATTACHMENT A. Notice Inviting Bids

ATTACHMENT B. Contract Documents

ATTACHMENT C. CEQA Notice of Exemption



Gregory V. Priamos, Director County Counsel 2/4/2020

Attachment A

NOTICE INVITING BIDS TO CONTRACTORS

The Riverside County Department of Waste Resources, hereinafter called "County," invites sealed bids for:

Groundwater Monitoring Well Construction

at the

Closed Highgrove Landfill

On or after February 14, 2020, Contract Documents may be examined at the County's office at 14310 Frederick Street, Moreno Valley, California, and may be obtained upon payment to the County of \$5.00 per set, received at the County's office and \$5.00 per set if mailed by U.S. mail (mailing cost does not apply when using recipient's mailing account number). No refund will be made. notir

A digital copy of the Contract Documents and Project Drawings in PDF format will be available on the Department's website <http://www.rcwaste.org>. The Project Drawings will also be available in digital Microstation (.dgn) format on Department's website. This digital data is to be used at the Contractor's own discretion. The County is not responsible for the manner in which the Contractor chooses to use the digital data. The County is not responsible for how this digital data might be converted by the Contractor to another format. The Contractor is solely responsible for its use of this digital data.

Each Bid Proposal must be accompanied by a Bid Security, in the form of cash, a certified check, cashier's check or Bid Bond, equal to ten percent (10%) of the amount Bid, payable to the County of Riverside as a guarantee that the Contractor will, if awarded the Contract, execute a satisfactory Contract and furnish the required bonds and provide the required certificates of insurance.

Bid Proposals must be placed in a sealed envelope clearly marked "Bid Proposal". Bid Proposals must be in accordance with the instructions and other Contract Documents and filed with the County by **10:00 AM on Thursday, March 12, 2020** at 14310 Frederick Street, Moreno Valley, CA 92553 which time and place are fixed for the public opening of bids. A **mandatory** pre-bid site review will be conducted at the closed Highgrove Landfill on **Thursday, February 27, 2020 at 10:00 AM**. The closed Highgrove Landfill site address is 1420 Highgrove Pass Road, Highgrove, California. All questions and requests for clarification or interpretation of the Contract Documents must be submitted in writing by **4:00 PM on Wednesday, March 4, 2020** to Todd Shibata via e-mail to "tshibata@rivco.org" or fax no. (951) 486-3250.

Pursuant to Labor Code Section 1771.1, any Contractor bidding and subcontractors to be listed on a Bid Proposal are subject to Public Contract Code Section 4104 and shall not be eligible to bid unless currently registered with the Department of Industrial Relations and qualified to perform public works pursuant to Labor Code section 1725.5. No Contractor or subcontractor may be awarded a public works project or enter into a Contract without proof of current registration to perform public works.

General prevailing rate of per diem wages and general prevailing rate of per diem wages for holiday and overtime work, including employer payments for health and welfare, pension, vacation, apprentices and similar purposes for each craft, classification or type of workman needed for execution of Contracts under the jurisdiction of the County have been obtained by the County from the Director of Industrial Relations of the State of California for the area where the Work is to be done. These are on file at the County's office, and will be made available to any interested person upon request. THIS PROJECT IS SUBJECT TO COMPLIANCE MONITORING

AND ENFORCEMENT BY THE DEPARTMENT OF INDUSTRIAL RELATIONS. The awarded prime Contractor shall post job site notices, including a copy of the prevailing rate of per diem wages determinations made by the Director for the Department of Industrial Relations and other notices prescribed by regulations and comply with the provisions of the California Labor Code, including, without limitation, Sections 1771.4, 1773.1, 1773.2, 1774, 1775, 1776, and 1777.5.

Contractor shall furnish the records specified in Labor Code Section 1776, including but limited to the certified payroll records, directly to the Labor Commissioner for the Department of Industrial Relations.

Substitution of securities for any moneys withheld by County shall be permitted as provided for by Section 22300 of the California Public Contract Code.

Contractors submitting proposals for this project shall have a C57 Contractor's license from the State of California and be registered as a well driller with the Riverside County Department of Environmental Health in order to be considered eligible for the contract award.

Attachment C



Hans W. Kernkamp, General Manager-Chief Engineer

NOTICE OF EXEMPTION

DATE: January 22, 2020

TO: County Clerk, County of Riverside

PROJECT CASE NO/TITLE: NOE 20-01/Contract for Groundwater Monitoring Well Construction

PROJECT LOCATION: Near Highgrove landfill; KB Homes and Western Riverside Regional Conservation Authority (RCA) properties

PROJECT DESCRIPTION: Construction and administrative actions required for installation of new groundwater monitoring wells near the Highgrove Landfill in three (3) phases on properties adjacent to the Highgrove Landfill. Groundwater monitoring wells will be routinely monitored by staff.

PUBLIC AGENCY APPROVING PROJECT: County of Riverside (County)

PROJECT SPONSOR: Riverside County Department of Waste Resources (RCDWR)

The Project is exempt from the provisions of CEQA, specifically by the State CEQA Guidelines as identified below. The Project will not result in any specific or general exceptions to the use of categorical exemptions as detailed under State CEQA Guidelines section 15300.2. The Project will not cause any impacts to scenic resources, historic resources, or unique sensitive environments and instead will improve the environment once the Project is completed. Further, no unusual circumstances or potential cumulative impacts would occur that may reasonably create a direct or reasonably foreseeable indirect physical environmental impact.

EXEMPT STATUS:

- Ministerial
- Declared Emergency
- Emergency Project
- Statutory Exemption
- Categorical Exemption: Sections 15301, 15303 & 15304
- Other Exemption: Section 15061 (b)(3)

REASONS FOR EXEMPTION:

Section 15061(b)(3) - General Rule Exemption

The activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

This project is exempt under Section 15061(b)(3) because:

The Project involves securing a construction contract with a qualified contractor to carry out borehole drilling and groundwater well construction near the closed Highgrove Landfill. Additional Project activities include execution of right of entry agreements and real property easements with adjacent property owners, routine groundwater monitoring, as well as other minor administrative actions.

Construction related Project activities consist of the installation of groundwater monitoring wells near the inactive landfill and would not affect any sensitive species, protected habitat, or archaeological/cultural resources since installation would occur on previously graded land and an existing disturbed access road.

Based upon the entire record, the proposed borehole drilling, and groundwater well construction contemplated under the Project would not result in the potential for any significant effect on the environment. This determination is an issue of fact and sufficient evidence exists in the record that the activity will not have a significant effect on the environment. As such, the exemption applies and no further evaluation under CEQA is required. See *Muzzy Ranch Co. v. Solano County Airport Land Use Comm'n* (2007) 41 Cal. 4th 372.

Section 15301, Class 1 Existing Facilities

This exemption covers the operation, repair, maintenance, permitting, leasing, licensing, minor alteration, or demolition and removal of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible, or no expansion of use beyond that existing at the time of lead agency's determination.

This project is exempt under Section 15301 because:

The Project will be carried out near the Highgrove landfill all of which is an existing closed landfill, involving no expansion of uses beyond that existing at the time of landfill closure. The Project will not expand the landfill(s) area footprint and will not alter any operations at the site. As discussed in this document, and shown in the attached construction drawings and groundwater monitoring well location maps, the Project involves securing a qualified contractor to construct new groundwater monitoring wells, and construction will occur in three phases. Groundwater wells will be accessed routinely to allow groundwater monitoring by RCDWR staff.

No significant environmental impacts will occur during Project construction as construction will occur in previously disturbed areas, and once completed, the Project will improve environmental conditions, since the sole purpose of borehole drilling and groundwater monitoring well construction is to monitor groundwater quality at the respective sites, thereby reducing the potential for environmental impacts. Therefore, the Project meets the scope and intent of the Class 1 Categorical Exemption.

Section 15303, Class 3 New Construction or Conversion of Small Structures

This exemption covers construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.

The project is exempt under Section 15303 because:

The Project involves securing a construction contract with a qualified contractor to construct new groundwater monitoring wells. The groundwater monitoring wells are small structures that will allow environmental conditions to be monitored where installed. The project as proposed meets the scope and intent of the Class 3 Categorical Exemption.

Section 15304, Minor Alterations of Land

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include but are not limited to:

(c) Filling of earth into previously excavated land with material compatible with the natural features of the site.

(f) Minor trenching or backfilling where the surface is restored.

This project is exempt under Section 15304 because:

The Project involves securing a construction contract with a qualified contractor to carry out borehole drilling and groundwater monitoring well construction, and routine monitoring, near the closed Highgrove Landfill.

Project activities include minor alterations of land for the purpose of constructing groundwater monitoring wells to provide environmental monitoring of conditions near the closed Highgrove landfill. The work will occur in previously disturbed areas and does not involve the removal of healthy, mature, scenic trees, and is compatible with the natural features and existing conditions of the respective sites. Therefore the Project, as proposed, meets the scope and intent of the Class 4 Categorical Exemption.

FINDINGS:

- 1) Based upon the identified exemptions and justification above, the RCDWR, on behalf of the County, hereby concludes that no physical environmental impacts are anticipated to occur and the Project is exempt under CEQA. No further environmental analysis is warranted.
- 2) As demonstrated in the preceding section (Reasons for Exemption), the Project is exempt from CEQA pursuant to State CEQA Guidelines Sections 15061(b)(3), 15301, 15303 and 15304.

If there are any questions regarding the above matter, I can be reached at (951) 486-3200.

**Hans Kernkamp, General Manager - Chief Engineer
Riverside County Department of Waste Resources**

By: *Kinika Hesterly*
Kinika Hesterly

Title: Urban/Regional Planner

IV Date: January 22, 2020

**ADDITIONAL ITEMS FILED
WITH
THE CLERK OF THE
BOARD**