

Sausalito Fishing Pier Rehabilitation Project: Final Programmatic Report (AMENDED)

Recipient Organization/Agency: City of Sausalito Date Submitted: 7/18/2014 (Resubmitted: 8/29/2014) Project Period: 6/01/2013 to 5/01/2014 Award Amount: \$160,000 Matching Contributions: \$10,000 Total Disbursement: \$57,147.95 Project Number: #8006.12.033349

1. Summary of Accomplishments

The Project has been designed, permits have been received (with one minor exception, the San Francisco Bay Conservation and Development Commission permit application is pending final design), and bids have been solicited in conformance with the California Public Contract Code. Unfortunately, the lowest bid received from a responsive and responsible contractor exceeds the funds available for construction.

The City is engaged in value-engineering for the purpose of reducing the cost of construction, as well as attempting to raise additional funds for the project. The National Fish and Wildlife Foundation has offered to increase the total contribution from the Cosco Busan Oil Spill Settlement Recreational Use Grant Program to cover a portion of the additional funding necessary, provided that those additional funds will be sufficient to complete the Project. The City expects to execute another agreement in order to deliver all of the benefits intended to be delivered by the Project.

2. Project Activities & Outcomes

The City retained W. B. Clausen Structural Engineers, Inc. as the designer the Project and Prunuske-Chatham, Inc. ("PCI") for assistance in resource agency permitting of the Project.

Plans for the Project were submitted along with an Administrative Permit Application to the San Francisco Bay Conservation and Development Commission on September 27, 2013 supported by a Summary of Biological Surveys dated August 29, 2013 prepared by PCI that addressed sensitive biological resources in the Project Area. No suitable habitat for eelgrass (*Zostera marina*, a vascular, perennial marine plant that grows in large colonies or beds in softbottomed bays and estuaries) was found in the Project Area. Eelgrass typically occurs in shallow waters from 0 to 6 feet below mean low tide (Jepson Interchange 2011 cited by PCI).

PCI also evaluated the Project Area with respect to potential occurrence of federal or special-status species. PCI found that the resources and species of concern are jurisdictional tidal waters (regulated by several resource agencies) and marine animals. Specifically, these include marine mammals (*i.e.*, harbor seals, sea lions) and both commercially important and listed marine fish (i.e., Pacific herring, green sturgeon, EFH-managed fisheries). On this basis PCI concluded the following with regard to Project activities with the potential to affect sensitive marine resources: "(i)mpact avoidance measures should be in place to protect marine communities during construction. Work will not occur within the water; however, protection measures should include on-going oversight during construction by a qualified biologist, a preconstruction worker education meeting, and environmentally sensitive design. Specific attention should be paid to avoiding the spawning season for Pacific herring, which are known to breed along the Sausalito shoreline. Work should occur from March 1 through November 30 to avoid impacts on spawning herring and their offspring."

In addition, on September 27, 2013 a Notice of Exemption from the application of the California Environmental Quality Act was filed on the basis that the Project constitutes replacement or reconstruction of an existing facility with no change in capacity or use.

Inasmuch as the Project is a public enhancement project, the City submitted an application for Design Review and Non-Conformity Permits to its Planning Commission for consideration at its October 16, 2013 meeting.

On the basis of the findings in the Summary of Biological Surveys dated August 29, 2013 prepared by PCI, the City requested and was approved for a revised end date of May 1, 2014 to allow avoidance of the spawning season for Pacific herring, which are known to breed along the Sausalito shoreline.

The City's process for approval of the required Design Review and Non-Conformity Permits required several iterations of re-design and ultimately resulted in denial of those discretionary permits. The primary obstacle to approval by the Planning Commission was the requirements that as a piling-supported structure, the elevation of the lowest horizontal structural framing member is required to be at or above the Base Flood Elevation ("BFE") promulgated by the Federal Emergency Management Agency ("FEMA"). With an extensive study of coastal flooding being performed at the time, FEMA indicated that the BFE to be promulgated shortly after the Project was scheduled to be constructed would be one (1) foot higher than the current and effective BFE at the time. The designer and the City Engineer insisted that the Project be designed to comply with that expected regulation for protection of the investment and lives and property in the vicinity of the Project. Compliance with the expected BFE requires that the walking surface of the pier will be 2-1/2 feet higher than the walking surface on the original pier was. The City Engineer appealed the Planning Commission's denial to the City Council and the City Council granted the permits on appeal.

The plans and specifications for the Project were issued with Notice Inviting Bids and bids were opened and publically read. The lowest bid from a responsive and responsible bidder exceeded the amount of the funds available for construction and the bids were therefore rejected by the City Council with direction to perform value-engineering for the purpose of reducing the cost of construction as well as attempting to raise additional funds for the project.

3. The Future

The **National Fish and Wildlife Foundation** has offered to increase the total contribution from the Cosco Busan Oil Spill Settlement Recreational Use Grant Program to cover a portion of the additional funding necessary, provided that those additional funds will be sufficient to complete the Project. The City expects to execute another agreement in order to deliver all of the benefits intended to be delivered by the Project.

4. Lessons Learned

The grant application was predicated on a construction cost estimate. Not only was the estimate too low (despite being based on a recent, similar project), but the estimate did not adequately account for the costs associated with multiple passes through the design review process.

5. Project Documents

• Plans and additional documents are attached



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GENERAL NOTES	
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Photo 1: Current Condition of Sausalito Pier (Google Earth Street View 2013)



Photo 2: Rendering of Proposed Project Plans for Sausalito Pier (W.B. Clausen Structural Engineers)