



AGENDA NO: C-2

MEETING DATE: January 23, 2018

Staff Report Addendum

TO: Honorable Mayor and City Council **DATE:** January 23, 2018
FROM: Rob Livick, PE/PLS - Public Works Director/City Engineer
SUBJECT: Authorize release of a Request for Proposal (RFP) for design/build of the City of Morro Bay Water Reclamation Facility Onsite Improvements to three pre-qualified design build entities that submitted Statements of Qualifications (SOQ) in accordance with the Request for Qualifications (RFQ) issued on October 27, 2017

ADDENDUM

Attachment #2 Summary of Changes made to the RFP is now available.

Prepared By: ___RL___

Dept Review: ___

Comments and changes to Draft Request for Proposals for WRF Onsite Improvements Project dated January 4, 2018					
CITY COUNCIL COMMENTS					
Item	Comment	RFP Section	Resolution	RFP Pages	Notes
1	Increase weighting for price proposal and life cycle costs to 60% of total or more and combine other components of the evaluation criteria into one, i.e. "Technical Proposal"	RFP Section 2.7, Pg 2-4	Revised table accordingly	RFP Section 2.7, Pg 2-4	See attached revised evaluation criteria scoring table
2	Develop a scoring system for proposal evaluation to provide a scale for how points will be assigned for each criterion	RFP Section 2.7, Pg 2-4	Evaluation committee will develop a scoring rubric within the parameters of the evaluation matrix		
3	Expand the communications protocol to include direction for the DB Teams in the case that a community member or group contacts them about the project	RFP Section 2.10, pg 2-5	Revised paragraph to include: If a community member or group, or any other entity reportedly representing the City initiates communications with a Design-Build Team regarding the project during the proposal period, the Design-Build Team shall note the day, time, and entity's information if provided, decline to discuss the project, and request that they contact Mr. Livick. DB Team shall also inform Mr. Livick about the communication.	RFP Section 2.10, pg 2-5	See attached
4	Add Project Goals and discussion of the history to the Introduction	RFP Att. A: PCR, Section 1.1, pg 1-1	Inserted new section "Background and Project Goals" (1.1) in Performance Criteria Report (PCR)	Section 1 of PCR	See attached added section
5	Make demolition of the existing WWTP an additive bid item/bid alternate	RFP Att. C: Price Proposal	Revised RFP Att C Price Proposal, added an "Additive Bid Item" for the entire Section 11 of the PCR which includes the decommission and demolition of the existing WWTP.		See attached revised Price Proposal
6	Increase landscaping buffer for property to the south; contact the neighboring property owner and address concerns to the extent possible	RFP Att. A: PCR, Figure 1-2, Site Plan	Landscape/stormwater management areas have been incorporated into the site plan to reduce visual impact to property owner. City to work with property owner to incorporate additional comments as an addendum if necessary.		See attached Figure 1-2
7	Remove specifics, i.e. Floorplan, on the Admin/Ops Building, just include the requirements	RFP Att. A: PCR, App F	Remove the Admin/Ops Center Floor Plan		
8	Provide information on project risk and allocation between City and DB Team. Are there acceptable ways for the City to take on more risk to reduce cost of the project?	RFP, General	Ways the City has reduced risk for DB: - Providing a Performance Criteria Report and clear effluent requirements - Providing a Geotechnical Baseline Report - Performed recent flow study & will provide results - Providing an allowance for unanticipated mitigation from pending EIR		
9	Minimize prescriptive nature and maximize potential for creative/cost effective alternatives	RFP, General	Existing: ATCs in RFP and "or Equal" throughout PCR. New: Added sentence to Section 1 of PCR: The City welcomes creativity in alternative solutions that provide capital or life cycle cost savings without sacrificing level of quality or performance during this proposal process and throughout design.		ATC's can be submitted in writing for review by the City evaluation team. City will notify the proposer in writing if the ATC will be considered an acceptable alternate.

ADDITIONAL SIGNIFICANT REVISIONS TO RFP PER WRFCAC or OTHER COMMENTS					
Item	(Origination) Comment	RFP Section	Resolution	RFP Pages	Notes
10	(WRFCAC) Various comments on anticipated mitigation measures	RFP Att. A: PCR, App. M	Revised Mitigation Measures	RFP Att. A: PCR, App. M	See attached revised Appendix M: Anticipated Mitigation Measures
11	(Utilities Director) Change chemical storage from tanks to totes	Att A, PCR, Section 2.11	Revised section to apply to chemical storage totes, instead of tanks	Att A, PCR, 2-15 thru 2-18	
12	(SRF & EPA) Add specific language for AIS, DBE, Davis Bacon, and Fed Cross-cutters	Att B, Draft Agreement	Receiving final review from City attorney, then will issue to invited proposers		
13	(Utilities Director) Add vector washdown area	Att A, PCR, Section 2	Added requirement for simple vector washdown area-concrete pad with containment, sump, and hoses	Att A, PCR, pg 2-24	
14	(WRFCAC) Change acronym for Design Build Entity so not to be confused with DBE, disadvantaged business enterprise	PCR	Changed acronym for Design Build Entity in PCR to DB		
15	(Technical Team) Make groundwater dewatering separate cost item in Price Proposal.	RFP Attachment C - Price Proposal	Added line item in the Cost Plus Proposal Table under General Site and Civil	Att C, pg 4	
16	(Other) Change Program Management and Construction Management for the project to "To Be Determined"	RFP, Att A, PCR, Section 1, pg 1-2	Revised to say City and City's consultants		

"Item" numbering notes correspond to item #s in table.
 Highlighting indicate text changes from Draft RFP.

will enter into the Agreement set forth in Attachment B for the amount set forth in the Price Proposal, subject only to changes as allowed under the Agreement.

2.6.2 The Proposer has carefully examined the RFP and the Performance Criteria Report and ascertained the nature, scope, and location of the Work. The Proposer has investigated and assured itself as to the general and local conditions that can affect the Work or its cost, all geotechnical and existing site conditions data, and all Plans, Specifications, Addenda, and Contract forms. The submittal of the Technical and Price Proposals shall be conclusive evidence that the Proposer has made such examinations and understands all the requirements for the performance of the completed Work. Failure of the Proposer to take these actions will not relieve it of responsibility for properly estimating the difficulty and cost of successfully completing the Work, or for proceeding to successfully complete the Work without additional cost to the Owner. The Proposer shall determine the methods, materials, labor, and equipment required to perform the completed Work and shall reflect their cost in the Price Proposal.

2.7 Selection of Preferred Proposer

The Owner will evaluate each Proposer pursuant to the selection criteria and weights established herein. The Owner will determine the Preferred Proposer and notify all Proposers in writing of its determination. The "Preferred Proposer" is the Proposer that the Owner determines achieves the apparent best value to the City.

Item 1

Criterion	Possible Score
Technical Proposal	
Management Approach	3
Quality Assurance and Quality Control	3
Schedule and Cost Controls	4
Team/City Collaboration and Integration	3
Design Development and Management	3
Project Sequencing and Scheduling	4
Proposed Design and Performance Guarantees	20
Price Proposal and Life-Cycle Cost	60
Total	100

2.7.1 At the Owner’s discretion, the Owner will initiate negotiations with the highest ranked Proposer. If the Owner cannot reach agreement with the highest ranked Proposer, the Owner may cease negotiations with the highest ranked Proposer and provided that such negotiations are terminated in writing, shall initiate negotiations with the next highest ranked Proposer. The Owner shall continue with this process with each such Proposer until it reaches agreement or cancels the procurement. Negotiations are at the Owner’s sole discretion. Proposers should not anticipate that any portion of

the proposed Contract will be changed or modified. By submitting a Proposal pursuant to the RFP, the Proposer represents and warrants that it will enter into the contract provided by the Owner subject to the terms set forth in its Proposal.

2.8 Selection DeBriefing

All Proposers may request a debriefing from the Owner with respect to the Procurement; however, Owner shall conduct no such debriefings until it has either reached an agreement on the Project or canceled the Procurement.

2.9 Public Records

All records, documents, drawings, plans, specifications and other material relating to the Project including materials submitted by the Proposer in its Proposal and if selected during the course of performing under the Contract shall become the exclusive property of City and shall be deemed public records. Said materials are subject to the provisions of the California Public Records Act (Government Code sections 6250 et. Seq.). City's use and disclosure of its records are governed by this Act.

City will not advise as to the nature or content of documents entitled to protection from disclosure under the California Public Records Act, including interpretations of the Act or the definitions of "TRADE SECRET" or "CONFIDENTIAL" or "PROPRIETARY" as determined by the Proposer. City will endeavor to notify Proposer of any request of the disclosure of such materials.

Under no circumstances, however, will City be liable or responsible for the disclosure of any such labeled materials whether the disclosure is required by law or a court order or occurs through inadvertence, mistakes or negligence on the part of City, its officials, officers, employees, agents, contractors or volunteers.

In the event of litigation concerning the disclosure of any material submitted by Proposer, City's sole involvement will be as a stake holder, retaining the material until otherwise ordered by a court.

Proposer, at its sole expense and risk, shall be responsible for prosecuting or defending any action concerning the materials, and shall indemnify and hold City harmless from all costs and expenses including attorneys' fees, in connection with such action.

2.10 Questions, Clarifications, and Concerns

The Proposal Performance Criteria Report describing this project has been carefully prepared. Any questions or concerns relating to these requirements shall be directed in writing to the Public Works Director (see cover page) and shall be sent by email. A Proposal Question form for this purpose has been included as Attachment D.

Questions will be accepted only up to March 23, 2018 by 5:00 PM, to allow the City, if necessary, to issue an addendum to all proposers stating revisions, deletions, or additions to be made to the Proposal requirements as a result of any questions. If questions arise after the deadline, please contact the Public Works Director, Rob Livick, at rlivick@morrobayca.gov, but the City will not guarantee a response.

ITEM 3

Any communications initiated by a Design-Build Team with the City, City's representatives, and/or project stakeholders other than via email with Mr. Livick about the Water Reclamation Facility may result in disqualification. All communications shall be directed to Rob Livick. If a community member or group, or any other entity reportedly representing the City, initiates communications with a Design-Build Team regarding the project during the proposal period, the Design-Build Team shall note the day, time, and entity's

information if provided, decline to discuss the project, and request that they contact Mr. Livick. DB Team shall also inform Mr. Livick about the communication.

The City will not be responsible for verbal responses made by City staff.

2.11 Notification of Staff Determination

Once the City has reviewed and evaluated the proposals received and has determined for award the responsible proposal that provides the best value to the City, that determination will be posted on the City's website, **morrobaywrf.com**. It is the sole responsibility of interested Proposers to seek this information.

Any protests shall be received by the City Clerk at 595 Harbor Street, Morro Bay, California 93442, by 5:00 PM PT on the 10th day following the City's written notice of the selected Design-Build Teams. The protest shall be a letter correspondence submitted via US Mail or hand-delivery (not email or fax) and state the specific grounds for the protest, including facts supporting those specific grounds. Protests received after the stated deadline will not be considered.

Protests will be reviewed by the Public Works Director/City Engineer, and the City's response to protests will be issued within 20 business days from receipt of the protest. The Public Works Director/City Engineer will make the final determination, and no further appeals will be allowed.

SECTION 1 INTRODUCTION

This Performance Criteria Report (PCR) is Attachment A of the Request for Proposals (RFP) for the City of Morro Bay Water Reclamation Facility (WRF) Onsite Improvements Project.

1.1 Background and Project Goals

The existing WWTP was originally constructed in 1953, and the WWTP was upgraded in 1964, 1982, and 1984. The WWTP is jointly owned and operated by the City of Morro Bay and Cayucos Sanitary District (CSD) under a Joint Powers Agreement, and currently serves approximately 14,000 people between the two communities. The WWTP has been operated under National Pollutant Discharge Elimination System (NPDES) Permit No. CA007881 and a 301(h) modified discharge permit since its last upgrade in 1984. The Central Coast Regional Water Quality Control Board (RWQCB) recently renewed the NPDES permit, which includes removal of the 301(h) waiver, meaning compliance with the California Ocean Plan and Federal Clean Water Act (including full secondary treatment) will be required. The permit indicates a time schedule order will be developed, with a time limit not to exceed 5 years.

After the California Coastal Commission denied a Coastal Development Permit (CDP) for construction to upgrade the wastewater treatment plant at its existing location in 2013, the City of Morro Bay began planning a new Water Reclamation Facility (WRF). During 2013 and the beginning of 2014, the community defined goals to guide the planning and design process for the new WRF. From 2014 through 2016, the City evaluated many potential locations for the new WRF, before choosing the South Bay Boulevard site near Highway 1, based on detailed technical analysis and broad communitywide input. The WRF will be solely owned and operated by the City of Morro Bay, and will serve residents of the City as well as any customers under contract with the City. The CSD is pursuing their own wastewater treatment project.

The project goals were developed and revised throughout the planning process. The original project goals were adopted in December 2013 and were most recently amended on October 24, 2017 to emphasize the need to reduce impacts to ratepayers. These amended goals are below:

- All aspects of the WRF project shall be completed ensuring economic value with a special emphasis on minimizing rate payer and City expense
- Communicate WRF project progress including general project status, milestones, and budget/cost information to our community members regularly
- Produce tertiary disinfected wastewater in accordance with the California Code of Regulations (CCR) Title 22 requirements for unrestricted urban irrigation
- Design to produce reclaimed wastewater to augment the City's water supply, by either direct or indirect means, as described in a master water reclamation plan and to maximize funding opportunities
- Include features in the WRF project to maximize the City's opportunities to secure funding and maximize efficiencies, including energy generation and recovery.
- Design to minimize the impacts from contaminants of emerging concern in the future
- Ensure compatibility with neighboring land uses

1.2 Overview

The City of Morro Bay WRF will be designed to treat an annual average flow of 0.97 million gallons per day (MGD) of wastewater through full advanced treatment (FAT). The WRF will provide primary, secondary,

Item 4

Proposer's Name: _____

Price Proposal Form for
Design-Build Services of the
City of Morro Bay
WATER RECLAMATION FACILITY (WRF) ONSITE IMPROVEMENTS

TO THE PUBLIC WORKS DIRECTOR

COST PROPOSAL

Having carefully examined the Request for Proposal, attachments and related documents the undersigned proposes and agrees to provide to the City of Morro Bay, in accordance with the Performance Criteria Report annexed hereto and made a part thereof, the following materials and labor not to exceed the following guaranteed maximum price at the rates attached hereto (attach all parts and labor rate list):

BASE BID AMOUNT

Item	Qty	Description	GMP Total Cost
1	Lump Sum	Design-Build of onsite improvements at the Water Reclamation Facility	\$
2	Lump Sum	Allowance for Unanticipated EIR Mitigation Measures*	\$1,000,000

*This is an allowance for all unanticipated work associated with EIR Mitigation Measure implementation. It has been determined to be \$1,000,000.

TOTAL COST PLUS WITH GUARANTEED NOT TO EXCEED OF BASE AMOUNT:

\$ _____

Item 5

ADD ALTERNATE:

Item	Qty	Description	GMP Total Cost
3	Lump Sum	Demolition of existing WWTP per Section 11 of "Attachment A" to the Request for Proposals	\$

TOTAL COST PLUS WITH GUARANTEED NOT TO EXCEED OF BASE PLUS ADD ALTERNATE AMOUNT:

\$ _____

The price proposals set forth herein shall include any and all applicable taxes. The City reserves the right to reject any and all proposals. **The City may make a single award for either the base cost proposal with or without the add alternate.** To be considered complete the cost proposal must include the tables on pages 1 through 4 of this of this document. Provide additional pages as required to submit a complete cost proposal.

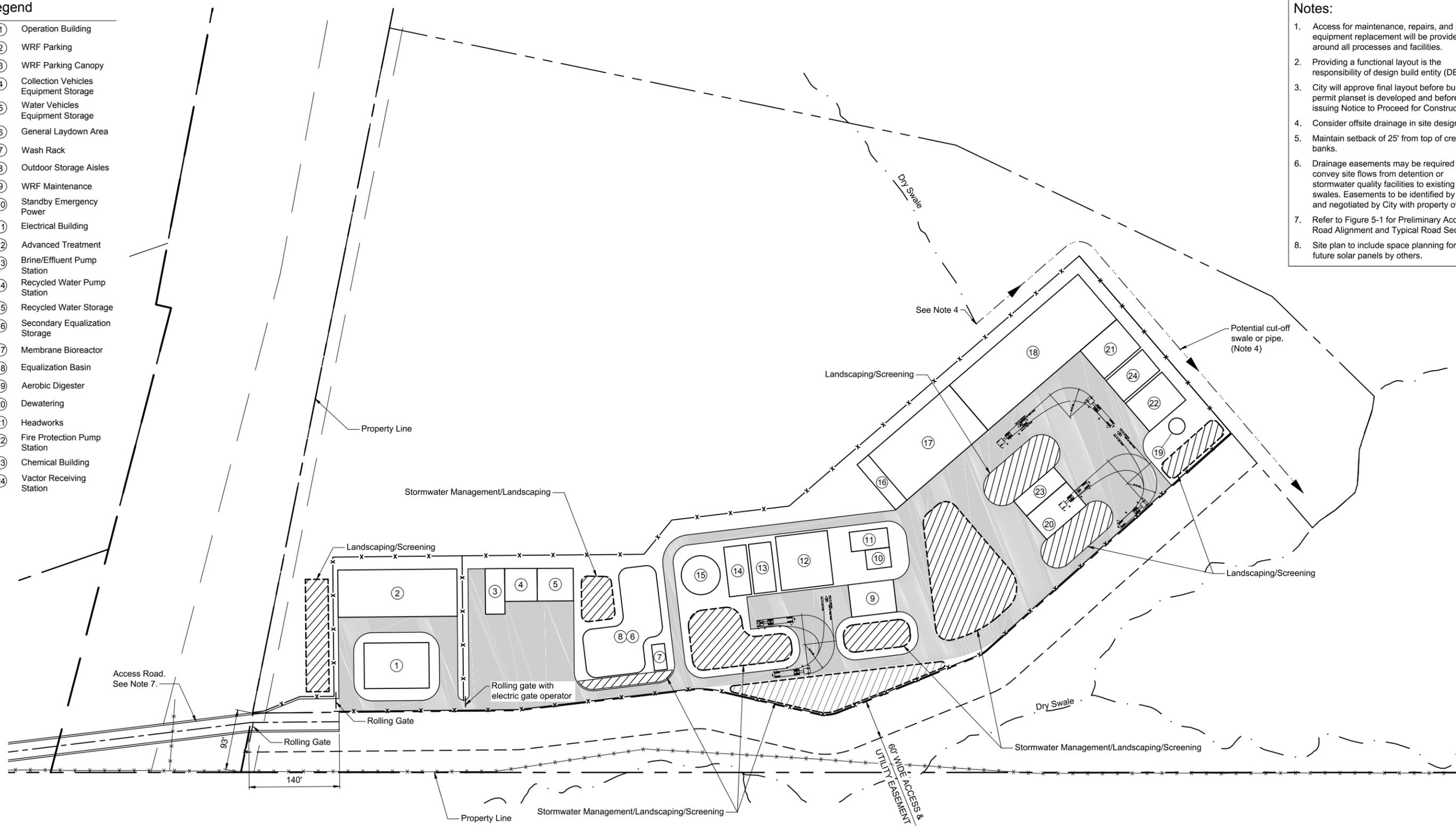
DWG: \\MKN01\Company\Projects\Morro Bay\MB-2015-001-002-003 WRF Program Management Services\300 Engineering\301 CAD\Exhibits\Figure 1-2.dwg USER: JimFroelicher
 DATE: Jan 22, 2018 2:58pm XREFS: 2D-C-SITE-PLAN-01 IMAGES: Morro Bay WRF_10.6.jpg

Legend

- ① Operation Building
- ② WRF Parking
- ③ WRF Parking Canopy
- ④ Collection Vehicles Equipment Storage
- ⑤ Water Vehicles Equipment Storage
- ⑥ General Laydown Area
- ⑦ Wash Rack
- ⑧ Outdoor Storage Aisles
- ⑨ WRF Maintenance
- ⑩ Standby Emergency Power
- ⑪ Electrical Building
- ⑫ Advanced Treatment
- ⑬ Brine/Effluent Pump Station
- ⑭ Recycled Water Pump Station
- ⑮ Recycled Water Storage
- ⑯ Secondary Equalization Storage
- ⑰ Membrane Bioreactor
- ⑱ Equalization Basin
- ⑲ Aerobic Digester
- ⑳ Dewatering
- ㉑ Headworks
- ㉒ Fire Protection Pump Station
- ㉓ Chemical Building
- ㉔ Vector Receiving Station

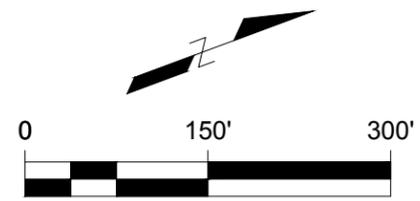
Notes:

1. Access for maintenance, repairs, and major equipment replacement will be provided around all processes and facilities.
2. Providing a functional layout is the responsibility of design build entity (DB).
3. City will approve final layout before building permit planset is developed and before issuing Notice to Proceed for Construction.
4. Consider offsite drainage in site design.
5. Maintain setback of 25' from top of creek banks.
6. Drainage easements may be required to convey site flows from detention or stormwater quality facilities to existing swales. Easements to be identified by DB and negotiated by City with property owner.
7. Refer to Figure 5-1 for Preliminary Access Road Alignment and Typical Road Section.
8. Site plan to include space planning for future solar panels by others.



1 SITE PLAN LAYOUT

Scale: 1:150



City of Morro Bay
Water Reclamation Facility Project

CONCEPTUAL LAYOUT

FIGURE
1-2

Item 10

Anticipated Mitigation Measures Morro Bay WRF Onsite Improvements

All anticipated mitigation measures and plans are the responsibility of the DB unless noted specifically otherwise. The City or consultants retained by the City will perform required monitoring and surveys, or as identified below.

<p>Geologic Resources</p>
<p>Prior to the approval of building plans for each proposed facility, the design of each facility shall be based on a facility-specific geotechnical report prepared by a California registered geotechnical engineer and professional geologist. The geotechnical report shall provide seismic data for use with at least the minimum requirements of the California Building Code.</p>
<p>Prior to approval of the improvement plans for the proposed facilities, a geotechnical report that addresses liquefaction hazards shall be prepared by the DB and approved by the City of Morro Bay. The geotechnical report shall state the recommended actions for the collection system and treatment plant site so that potential impacts from seismically-induced liquefaction would be reduced to less than significant.</p>
<p>Prior to approval of improvement plans, an Emergency Response Plan (ERP) shall be prepared. The ERP shall recognize the potential for liquefaction, seismic hazards and ground lurching to impact proposed facilities, and specific high hazard areas shall be inspected for damage following an earthquake. "Soft Fixes" shall be incorporated in the ERP. Soft Fixes typically consist of having a plan in-place to address the hazards, such as can be achieved by storing supplies and equipment for repair.</p>
<p>Prior to the approval of grading plans, erosion control measures shall be incorporated into the grading plans to minimize the potential for erosion or loss of top soil during grading.</p>
<p>Prior to the approval of grading plans, vegetation/landscaping shall be provided on the graded cut and fill slopes to reduce the long-term potential for soil erosion or loss of topsoil.</p>
<p>Prior to the approval of grading plans for each facility, the plans shall provide for the control of surface water away from slopes.</p>
<p>Prior to approval of the improvement plans for the proposed facilities, a geotechnical report that addresses the potential for lateral spreading, ground subsidence, and ground lurching and provides measures to reduce potential impacts to less than significant shall be prepared and approved.</p>
<p>Prior to approval of improvement and building plans for the proposed facilities, a design-level geotechnical report shall be prepared that addresses and reduces potential expansive soil impacts to less than significant. The expansive soil data shall be used with the requirements of the California Building Code.</p>
<p>Biological Resources</p>
<p>Impacts to Trees. It is anticipated at this time that all trees could be avoided by the project, and those within 25 feet of the limits of disturbance will have protective measures put in place to ensure they remain uninjured during the course of construction. An attempt will be made to protect the minimum distance of 1.5 times the dripline (i.e., the distance from the trunk to the outermost limits of leaves and branches). During development, orange construction fencing or sufficient staking to identify the protection area will surround each tree or clusters of trees. Protection fencing and staking areas will also be shown on all construction plans.</p>
<p>If grading or trenching must encroach within the dripline of protected trees, the activity will attempt to avoid soil compaction and damage to the critical root zone as much as possible. Tree protection and compensatory mitigation for impacted trees will follow current City policies that will be outlined in the arborist report.</p>
<p>Rare Plants. The facility site contains two occurrences of the San Luis Obispo owl's clover, a CRPR List 1B species, that are outside the proposed development footprint. Native bunchgrass grasslands observed on portions of the facility site are also outside the development footprint, and would not be impacted by the proposed project. The</p>

Cambria morning glory is present in annual grasslands. If these would be impacted by the project, a Rare Plant Habitat Mitigation Program should be developed and implemented. To fully mitigate impacts to special status plants that may occur from project construction, the following mitigation is required:

1. If a special status plant population(s) is located in the construction area and project redesign is not feasible to avoid the occurrence, a rare plant mitigation plan should be developed to ensure a no-net-loss of special status plant species and their habitat. The rare plant mitigation plan should be developed by a qualified botanist/restoration ecologist in consultation with the City, CDFW and USFWS, as appropriate. The special-status plant species mitigation program should at a minimum include the following:
 - The overall goal and measurable objectives of a no-net loss of special status species in the mitigation and monitoring plan;
 - Specific areas for re-vegetation and their size. Potential sites for mitigation would be any suitable site in close proximity to the impact area;
 - Specific habitat management concepts to be used during the establishment period (i.e., annual population census surveys and habitat assessments for the period immediately following construction; establishment of monitoring reference sites; a seasonally-timed weed abatement program; and seasonally-timed seed collection, propagation, and reintroduction of special-status plant species into specified receiver sites);
 - Success criteria based on the goals and measurable objectives to ensure that a viable population(s) is established on the project site; and
 - Reporting requirements to ensure consistent data collection and reporting methods used by monitoring personnel.
2. Prior to construction, all rare plant occurrences within or adjacent to impact areas will be flagged for avoidance. If development cannot avoid the rare plants, rare plants will be salvaged from the disturbance area where feasible, and relocated to appropriate habitat outside the development footprint. Salvage and relocation activities will include the collection of seed and/or propagules prior to grading activities. Seed will be hand broadcasted into areas of suitable habitat outside the development area, or incorporated into the native grassland erosion control seed mix.
3. Monitoring will occur annually for five years to ensure successful establishment of all re-introduced or salvaged plants and that no-net-loss of the species occurs. In the case of annual plants it can be difficult to determine if there has been a net loss or gain of a viable population in a five-year period. Therefore, reference sites will be used to the extent possible to extrapolate trends in a species' population dynamics. An adaptive management program will also be included to address both foreseen and unforeseen circumstances relating to the preservation and mitigation programs. The program will also include remedial measures to address negative impacts to the special- status plant species and their habitats (i.e., removal of weeds, additional seeding/planting efforts) if the species or its habitat is suffering a net loss at the time of the follow up surveys.
4. All grassland areas disturbed by construction that are outside the WRF facility will have an approved seed mix applied through either direct hand seeding or hydroseeding methods.

Wetland/Riparian Habitat Impacts. The following mitigation measures should be implemented prior to and during construction. The DB may be able to avoid some or all of these permits by siting facilities outside impact areas:

1. During the project planning phase, the City will initiate consultation with regulatory agencies to determine which regulatory permits will be necessary. The type of permits and compensatory mitigation required will depend on the proposed project impacts associated with the chosen pipeline alignment and proposed construction methods, and may likely include a Section 404 Permit from USACE, a Section 401 Water Quality Certification from RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFW. The City, or consultants retained by the City, will complete applications for these specific permits if required.

2. Once the project development footprint and construction methods have been finalized, the drainage impact areas can be calculated and impacts to federal and state jurisdictional areas can be determined. To compensate for impacts to riparian and wetland habitat and non-wetland drainage features, a Habitat Mitigation and Monitoring Plan (HMMP) should be prepared. The HMMP should be consistent with federal and state regulatory requirements and local City policies. The HMMP should be submitted with permit applications for agency approval. The City would then be required to implement the HMMP during construction and immediately following project completion for an estimated period of five years.
3. Prior to start of construction activities, the contractor in coordination with the City should retain a qualified biological monitor to ensure compliance with all permit requirements and avoidance and minimization measures (i.e.: preconstruction surveys, worker environmental training, and construction monitoring) during work within and adjacent to drainage features.
4. Prior to start of construction, the project boundaries adjacent to drainages should be clearly flagged or fenced so that contractors are aware of the limits of allowable site access and disturbance. Areas to be preserved should be clearly flagged as off-limits to avoid unnecessary damage and potential erosion.
6. Prior to issuance of construction permits, an Erosion Control Plan incorporating up to date Best Management Practices should be prepared by the project engineer to minimize impacts to aquatic habitats. The plan should address installation and maintenance of both temporary and permanent measures to control erosion and dust, contain spills, protect stockpiles, and generally maintain good housekeeping practices within the worksite. All project plans should show that erosion, sediment, and dust control measures must be installed prior to start of any ground disturbing work. All bare or disturbed soil areas that are outside the developed facility and roadway areas will be seeded with an approved native erosion control seed mix.
7. All applicable plans should clearly show project stockpile and materials staging areas. These areas should be at least 50 feet from drainage features, active storm drain inlets, and must conform to BMPs applicable for storm drain protection.
8. Prior to start of work, the contractor should prepare and implement a Spill Prevention Plan to ensure prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. All project-related hazardous materials spills within the project site should be cleaned up immediately. Spill prevention and cleanup materials should be on-site at all times during the course of the project.
9. All refueling, maintenance, and washing of equipment and vehicles should occur on impervious areas in a location where a spill would not travel onto bare ground or to a storm drain inlet. This fueling/staging area will conform to BMPs applicable to attaining zero discharge of stormwater runoff. At a minimum, all equipment and vehicles must be checked and maintained on a daily basis to ensure proper operation and avoid potential leaks or spills. Washing of equipment should occur only in a location where polluted water and materials can be contained for subsequent removal from the site.
10. A designated concrete washout location should be established onsite, in an area at least 50 feet from any drainage or storm drain inlet. The washout should be maintained and inspected weekly, and will be covered prior to and during any rain event. Concrete debris should be removed whenever the washout container reaches the 1/2 full mark.
11. BMP's for dust abatement shall be a component of the project's construction documents. Dust control requirements should be carefully implemented to prevent

water used for dust abatement from transporting pollutants to storm drains leading to the creek channel.

12. During project activities, all trash that may attract predators shall be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.

Nesting Birds. Project activities, including equipment use during demolition, initial vegetation removal and construction activities, and associated noise, vibration, and dust, could impact nesting migratory birds and/or special-status bird species in riparian willow habitat, street trees, and grassland habitats within the study area.

Recommended Mitigation. The following mitigation measures are recommended to avoid or minimize impacts to nesting bird species, including special status species and species protected by the Migratory Bird Treaty Act.

1. Any removal of trees and disturbance of annual grassland habitat should be limited to the time period between September 1 and February 14 if feasible. If tree removal and grassland impacts cannot be conducted during this time period, a qualified biologist should conduct pre-construction surveys for active bird nests within the limits of the project.
2. If active nest sites of bird species protected under the Migratory Bird Treaty Act and/or California Fish and Game Code Section 3503 are observed within or adjacent to the study area, then the project should be modified and/or delayed as necessary to avoid direct take of the identified nests, eggs, and/or young. Potential project modifications may include establishing appropriate "no activity" buffers around the nest site. Construction activities should not occur in the buffer until the project biologist has determined that the nesting activity has ceased.
3. If active nest sites of raptors and/or bird species of special concern are observed within the vicinity of noise or vibration producing project activities, an appropriate buffer around the nest site (250 to 500 feet for raptors depending on location) should be implemented. Construction activities in the buffer zone should be prohibited until the young have fledged the nest and achieved independence.
4. Active nests should be documented and monitored by the project biologist, and a letter report should be submitted to the USFWS and CDFW, documenting project compliance with the MBTA and applicable project mitigation measures.

American Badger. The American badger was determined to have potential to occur on the facility site, due to presence of grassland habitats, water, and a prey base of California ground squirrels and pocket gophers in the general region. A pre-construction survey for active badger dens should be conducted within the construction impact footprint and surrounding accessible areas of the study area at least two weeks prior to any ground disturbing activities. The survey should be conducted by a qualified biologist. In order to avoid potential direct impacts to adults and nursing young, no grading should occur within 50 feet of an active badger den as determined by the project biologist. Construction activities between July 1 and February 28 should comply with the following measures to avoid direct take of adult and weaned juvenile badgers through the forced abandonment of dens:

1. A qualified biologist should conduct a focused survey at least two (2) weeks prior to the start of construction;
2. The survey should cover the entire area proposed for development;
3. If a potential den is located that is too long to see the end, a fiber optic scope (or other acceptable method such as using tracking medium for a three night period) should be used to determine if the den is being actively used by a badger;

4. Inactive dens should be excavated by hand with a shovel or using a small excavator to prevent badgers from re-using them during construction.
5. Badgers should be discouraged from using currently active dens prior to the grading of the site by partially blocking the entrance of the den with sticks, debris and soil for three to five days. Access to the den should be incrementally blocked to a greater degree over this period. This should cause the badger to abandon the den and move elsewhere. After badgers have stopped using any den(s) within the project boundary, the den(s) should be hand-excavated with a shovel or carefully excavated with the use of an excavator to prevent re-use.
6. The qualified biologist should be present during the initial clearing and grading activity. If additional badger dens are found, all work should cease until the biologist can complete measures described above for inactive and active dens. Once the badger dens have been excavated, work on the site may resume.

Cultural and Paleontological Resources

Complete Area of Potential Effect (PAE) for potential cultural resources within the study area and conduct Phase 1 review within that area. Implement the recommendations of that Phase 1 review as appropriate. The prescriptive mitigation will be fully established through the EIR being prepared for the project.

If previously unidentified cultural materials are unearthed during construction, the disposition of such a find must follow state law. As part of this, work shall be halted in that area until a qualified archaeologist can assess the significance of the find. Additional archaeological survey will be needed if project limits are extended beyond the present survey limits, and for associated access roads and the pipeline.

Prepare a Phase 2 Work Plan for resource recovery, if needed to address the recommendations of any Phase I activities, and implement it as needed.

If human remains are encountered within the project area, the City shall be responsible for complying with provisions of Public Resources Code Sections 5097.98 and 5097.99, and 7050.5 of the California Health and Safety Code, as amended by Assembly Bill 2641, and coordinate such activities with the County, the entity responsible for permitting of the facility. Restrictions or procedures for excavation, treatment, or handling of human remains shall be established in consultation with the individuals designated by the Native American Heritage Commission as the Most Likely Descendants.

Although unlikely, should any vertebrate fossils or potentially significant finds (e.g., numerous well-preserved invertebrate or plant fossils) be encountered by anyone working on the site, all activities in the immediate vicinity of the find are to cease until a qualified paleontologist evaluates the find for its scientific value. If deemed significant, the paleontological resource(s) shall be salvaged and deposited in an accredited and permanent scientific institution where they will be properly curated and preserved for the benefit of current and future generations.

Hazards and Hazardous Materials

Prior to any onsite construction activities at the proposed treatment plant site, soils shall be sampled and analyzed by a licensed engineer or geologist approved by the County of San Luis Obispo Health Department to determine the level of residue for pesticides, herbicides, chemicals, and associated metals. If residues are found to be within acceptable amounts per the San Luis Obispo County Health Department (SLOCHD) and Environmental Protection Agency/Department of Toxic Substance Control (DTSC) standards then grading and construction may begin. If the residue is found to be greater than the SLOCHD and DTSC standards, all contaminated soils exceeding the acceptable limits shall be remediated and/or properly disposed of per SLOCHD and DTSC requirements. An appropriate verification closure letter from SLOCHD and DTSC shall be obtained and submitted to the County of San Luis Obispo Planning Department. Depending on the extent of contaminated soils, a verification closure letter from the California Regional Water Quality Control Board may also need to be submitted to the County of San Luis Obispo Planning Department. Site remediation can occur by the use of on-site transportable thermal treatment units or bio-remediation. The soil can also be excavated and shipped off-site to fixed incineration or bioremediation facilities.

Prior to operation of the wastewater project, a Hazardous Materials Management Plan shall be developed and submitted to the County of San Luis Obispo Environmental Health Services Division for approval. The plan shall identify hazardous materials utilized at the proposed wastewater facilities and their characteristics; storage, handling, training procedures, and spill contingency procedures. Additionally, the Hazardous Materials Management Plan shall identify procedures in the event of accidents such as

the release of raw wastewater or secondary treated water into watercourses such as the adjacent drainage. These procedures shall include immediate response personnel to limit public access to spill areas, potentially shutting down pump stations, creating berms, use of vacuum trucks, and use of water booms to contain spills within open water areas.

Furthermore, the Plan shall address response and containment of fuel at pump stations sites, when used.

Traffic and Circulation

Prior to construction, a traffic management plan shall be prepared for review and approval by the City of Morro Bay. The Plan will address construction traffic as needed, including for the WRF and pipelines. With respect to the WRF, the plan must address site access. For the pipelines, the plan must address potential temporary road closures associated with pipelines that may be laid within road rights of way.

The plan shall be based on the type of roadway, traffic conditions, duration of construction, physical constraints, nearness of the work zone to traffic and other facilities (bicycle, pedestrian, driveway access, etc.). The traffic management plan shall include:

- a) Advertisement. An advertisement campaign informing the public of the proposed construction activities should be developed. Advertisements should occur prior to beginning work and periodically during the course of project construction. Advertisements to be prepared by DB and reviewed/distributed by City.
- b) Property Access. Access to parcels along the construction area shall be maintained to the greatest extent feasible. Affected property owners shall receive advance notice of work adjacent to their property access and when driveways would be potentially closed.
- c) Schools. Any construction adjacent to schools shall ensure that access is maintained for vehicles, pedestrians, and bicyclists, particularly at the beginning and end of the school day.
- d) Buses, Bicycles and Pedestrians. The work zone shall provide for passage by buses, bicyclists and pedestrians.
- e) Intersections. Traffic control (i.e. use of flag men) shall be used at intersections that are determined to be unacceptably congested due to construction traffic.

Air Quality

Prior to issuance of grading permits, the contractor in coordination with the City shall submit a Construction Activities Management Plan for the review and approval of the SLOAPCD. This plan shall include but not be limited to the following Best Available Control Technologies for construction equipment:

- a. Minimize the number of large pieces of construction equipment operating during any given period.
- b. Schedule construction related truck/equipment trips during non-peak hours to reduce peak-hour emissions.
- c. Properly maintain and tune all construction equipment according to manufacturer's specifications.
- d. Fuel all off-road and portable diesel powered equipment including but not limited to: bulldozers, graders, cranes, loaders, scrapers, backhoes, generators, compressors, auxiliary power units, with CARB motor vehicle diesel fuel.
- e. Use 2007 or newer heavy duty off road vehicles to the extent feasible.
- f. Use Caterpillar pre-chamber diesel engines (or equivalent) together with proper maintenance and operation to reduce emissions of NOX.
- g. Electrify equipment where possible.
- h. Use Compressed Natural Gas (CNG), liquefied natural gas (LNG), biodiesel, or propane for on-site mobile equipment instead of diesel- powered equipment.

Prior to initiating grading activities, the contractor in coordination with the City shall:

- a. Include the following specifications on all project plans: One catalyzed diesel particulate filter (CDPF) shall be used on the piece of equipment estimated to generate the greatest emissions. If a CDPF is unsuitable for the potential equipment to be controlled, five diesel oxidation catalysts (DOC) shall be used.
- b. Identify equipment to be operated during construction as early as possible in order to place the order for the appropriate filter and avoid any project delays. This is necessary so that contractors bidding on the project can include the purchase, proper installation, and maintenance costs in their bids.

<p>c. Contact the SLOAPCD Compliance Division to initiate implementation of this mitigation measure at least two months prior to start of construction.</p>
<p>Prior to initiating grading activities, if it is determined that portable engines and portable equipment would be utilized, the contractor in coordination with the City shall contact the SLOAPCD and obtain a permit to operate portable engines or portable equipment, and shall be registered in the statewide portable equipment registration program. The SLOAPCD Compliance Division shall be contacted in order to determine the requirements of this mitigation measure.</p>
<p>Project contract documents will include the following dust control measures:</p> <ol style="list-style-type: none"> a. Reduce the amount of the disturbed area where possible, b. Use water trucks or sprinkler systems in sufficient quantities to prevent airborne dust from leaving the site. Increased watering frequency will be required whenever wind speeds exceed 15 mph. Reclaimed (non-potable) water should be used whenever possible. c. All dirt stockpile areas will be sprayed daily as needed. d. Permanent dust control measures identified in the revegetation and landscape plans will be implemented as soon as possible following completion of any soil disturbing activities. e. Exposed ground areas that are planned to be reworked at dates greater than one month after initial grading will be sown with a fast germinating native grass seed and watered until vegetation is established. f. All disturbed soil areas not subject to revegetation will be stabilized using approved chemical soil binders, jute netting, or other methods approved in advance by the APCD. g. All roadways, driveways, sidewalks, etc. to be paved will be completed as soon as possible. In addition, building pads will be laid as soon as possible after grading unless seeding or soil binders are used. h. Vehicle speed for all construction vehicles will not exceed 15 mph on any unpaved surface at the construction site. i. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or will maintain at least two feet of freeboard (minimum vertical distance between top of load and top of trailer) in accordance with CVC Section 23114. j. Install wheel washers where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site. k. Sweep streets at the end of each day if visible soil material is carried onto adjacent paved roads. Water sweepers with reclaimed water should be used where feasible. l. If visible emissions of fugitive dust persist beyond a distance of 200 feet from the boundary of the construction site, all feasible measures shall be implemented to eliminate potential nuisance conditions at off-site receptors (e.g., increase frequency of watering or dust suppression, install temporary wind breaks where appropriate, suspend excavation and grading activity when winds exceed 25 mph). m. The contractor will designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties will include holidays and weekend periods when work may not be in progress. The name and telephone number of such persons will be provided to the SLOAPCD prior to the start of construction.
<p>Noise</p>
<p>The City shall require construction contractors to adhere to the following noise attenuation requirements:</p> <ul style="list-style-type: none"> • Construction activities shall be consistent with the City’s Noise Ordinance, which restricts activities from 7 AM to 10 PM, or as prescribed through the EIR, whichever approach is more restrictive. • All construction equipment shall use noise-reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. • Construction staging and heavy equipment maintenance activities shall be performed a minimum distance of 300 feet from the nearest residence, unless safety or technical factors take precedence.

<ul style="list-style-type: none"> • Stationary combustion equipment such as pumps or generators operating within 100 feet of any residence shall be shielded with a noise protection barrier.
<p>Visual Resources</p>
<p>For all aspects of the project, construction staging areas shall be located away from sensitive viewing areas to the extent feasible. Before construction activities begin, an area of construction equipment storage away from direct views of sensitive viewing corridors (e.g. residences and major roads in the project area) shall be designated.</p>
<p>A final landscaping plan shall be prepared for the entire project site and approved prior to building permit issuance. Said landscaping plan shall emphasize native plant materials and shall include sufficient planting to screen views of the project from nearby roads and residential developments. The landscaping plan shall be to visually integrate the project into the rural landscape, while preserving and enhancing existing views.</p>
<p>Any buildings shall be designed in such a manner so they are architecturally compatible with other buildings in the vicinity.</p>
<p>A final lighting plan shall be prepared for the treatment and disposal facilities. The lighting plan shall meet City and County design standards. This shall include proper shielding, proper orientation, and applicable height standards. All lighting fixtures shall be shielded so that neither the lamp nor the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark-colored.</p>
<p>Any building associated with treatment and disposal facilities shall be designed to conform to an agricultural landscape.</p>