



## MEMORANDUM

TO: Biola Community Services District Board of Directors  
FROM: Jerry Jones, Contract Engineer  
DATE: December 15, 2022  
RE: Resolution Approving Maintenance Agreement with the County of Fresno for the Biola Groundwater Recharge Project

### BACKGROUND

The District was awarded a grant from the California Department of Water Resources (DWR) in the amount of \$705,000 for the Biola Groundwater Recharge Project. The original scope of the Project was the construction of a turnout on Fresno Irrigation District's (FID) Herndon Canal, installation of an 18" pipeline in 3<sup>rd</sup> Street from the turnout on the Herndon Canal north of Shaw Avenue to G Street, where it would connect with the District's storm drain system, and the expansion of the District's storm drainage basin at 4<sup>th</sup> Street and H Street. The intent of the Project is to convey surface water from FID's Herndon Canal to the District's storm drain basin for groundwater recharge.

The District originally advertised and opened bids for the Project in October 2021. At that time, the low bid received was in the amount of \$1,073,360.80. Due to the significant cost overage, the District began discussions with DWR Staff regarding the availability of additional funding and/or scope modifications to the Project in an effort to complete construction within the grant budget. While no additional funds were available at the time of discussions, DWR Staff did agree to a reduction of the Project scope. The scope was modified to eliminate the expansion of the storm drainage basin and also the pipeline segment in 3<sup>rd</sup> Street from F Street to G Street, which will be completed separately with the District's new water storage tank. The District has executed an amendment to the Grant Agreement with DWR that approved a time extension for completion of the Project and the scope modification. The plans have been revised to eliminate the expansion of the basin and also the segment of pipeline from G Street to F Street (as discussed above; to be completed with the new water storage tank).

The District re-advertised for bids with the reduced Project scope and bids were opened on October 11, 2022. The District awarded the construction contract for the Project to Dawson-Mauldin, LLC on November 4, 2022.

### SITUATION

As a condition of approval for the encroachment permit for work within the County road right-of-way, the County is requiring the District to enter into an agreement for the maintenance and repair of the pipeline to be installed as part of the Project. This condition is a typical requirement the County imposes when a City or District requests to install a utility pipeline within its right-of-way. The County will not provide the necessary approvals and permits to install the pipeline within their right-of-way without the District entering into an agreement. The standard form of agreement is included as Exhibit A to the Resolution. One item to note, the form of agreement provided by the County makes reference to "City" and not "District". This is the County's standard form of agreement, which is often between the County and a city. We have spoken to County Staff and the

agreement will be revised to use “District” at all locations where “City” is referenced.

RECOMMENDATION

We recommend that the Board approve the agreement with the County of Fresno for the maintenance and repair of the pipeline for the Biola Groundwater Recharge Project.