

CITY OF SANTA ROSA  
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL  
FROM: JASON NUTT, TRANSPORTATION AND PUBLIC WORKS  
DIRECTOR  
SUBJECT: AUTHORITY TO ISSUE DESIGN-BUILD REQUEST FOR  
PROPOSALS FOR THE FULTON RD RIPARIAN HABITAT  
MITIGATION PROJECT (CEQA EXEMPT)

AGENDA ACTION: MOTION

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RECOMMENDATION

It is recommended by the Transportation and Public Works Department that the Council, by motion, approve the use of Design-Build procurement method as in the best interest of the City and authorize issuance of a Design-Build Request for Proposals for the Fulton Road Riparian Habitat Mitigation Project.

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EXECUTIVE SUMMARY

The Fulton Road Riparian Habitat Mitigation Project (Project) was created by mitigation measure BIO-6 of the Mitigation and Monitoring Program (MMP) for the Fulton Road Widening Improvement Project as adopted by Council. The Project will provide riparian and oak woodland revegetation along Peterson Creek. This Project must be completed prior to the Fulton Road Widening Project completion, which is expected January 2024.

Staff recommends utilization of a Design-Build delivery method for the Project. The method is expected to benefit the project by expediting project delivery, thus allowing it to meet the required completion deadline.

BACKGROUND

The City of Santa Rosa, through GHD Inc, contracted with Jane Valerius Environmental Consulting to prepare a Riparian Habitat Mitigation Plan for the 1-mile project site along Fulton Road. As part of the roadway improvements, work will occur along Forestview Creek, Peterson Creek, and roadside ditches that are hydrologically connected to Peterson Creek. Mitigation from the Fulton Road Widening will be accomplished through implementation of this Project per a Riparian Habitat Mitigation Plan established under mitigation measure BIO-6 of the MMP.

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The scope of the Project is restoration and enhancement of Peterson Creek within property owned by the City of Santa Rosa. The Project scope will not include plantings along Forestview Creek because it is managed by Sonoma Water and they have their own management plan for this creek. The Project will follow the Riparian Habitat Mitigation Plan, and is expected to plant 200 native trees, 2 nonnative trees and various shrubs that are known to occur in the area to encourage species diversity. The bed and bank will be seeded to re-establish native grasses and forbs as understory.

Per the Riparian Habitat Mitigation Plan, the planting plan shall be enforced by the City of Santa Rosa and installed under the Design-Builder contract by a qualified native habitat restoration specialist. The habitat restoration specialist shall determine in the field the selection and spacing of the plants to optimize restoration efforts.

The Project is required to be carried out and completed prior to completion of the Fulton Road Widening Project anticipated in January 2024.

#### PRIOR CITY COUNCIL REVIEW

On August 4, 2015, City Council, by Resolution No. 28674, approved Cooperative Funding Agreement No. M30406 between Sonoma County Transportation Authority (SCTA) and the City of Santa Rosa for Measure M funds for Fulton Road Widening Improvements.

On June 21, 2016, City Council, by motion, approved work order #A010070-2011-62, for Preliminary Design and Environmental Documentation for the Fulton Road Project from Guerneville Road to Piner Road – Widen to Four Lanes, with GHD Incorporated of Santa Rosa, CA.

On February 14, 2017, City Council, by Resolution RES-2017-026, approved the establishment of an Underground Utility District (UUD) on Fulton Road between Guerneville Road and Piner Road.

On October 24, 2017, City Council, by Resolution RES-2017-213, adopted a Mitigated Negative Declaration (MND) for the Fulton Road Widening Improvement Project between Guerneville Road and Piner Road approved the project and adopted a Mitigation and Monitoring Program (MMP) for the project.

On January 9, 2018, City Council, by motion, approved and authorized the Mayor to execute project work order #A010145-2016-14, for the Plans, Specifications, and Estimate (PS&E) phase for the Fulton Road Project from Guerneville Road to Piner Road – Widen to Four Lanes, in the amount of \$1,398,903.00 with GHD Incorporated of Santa Rosa, CA.

On October 26, 2021, City Council, by resolution: 1) authorized the purchase of

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mitigation credits for the Fulton Road Widening Project from Guerneville Road to Piner Road; and 2) approved Agreements for Sale of California Tiger Salamander Mitigation Credits and/or Preservation Credits with: Davis Preserve, LLC, in an amount not to exceed \$420,750 to purchase required mitigation credits for California Tiger Salamander (CTS); Alton Preserve, LLC, in an amount not to exceed \$132,750 to purchase required mitigation credits for CTS, Burke's Goldfield, and Sonoma Sunshine; Margaret West Conservation Preserve, LLC, in an amount not to exceed \$25,500 to purchase required mitigation credits for CTS and Sebastopol Meadowfoam; and Davis Preserve, LLC, in an amount not to exceed \$17,000 to purchase required mitigation credits for CTS and Sebastopol Meadowfoam.

On April 26, 2022, City Council by resolution: 1) rejected the bid protest by Argonaut Constructors, Inc.; 2) waived any minor irregularities in the lowest bid; 3) awarded Contract No. C01178, Fulton Road from Guerneville Road to Piner Road - Widen to Four Lanes, in the amount of \$15,578,565.00 to the lowest responsible bidder, Ghilotti Bros, Inc. / FBD Vanguard Construction, Inc., of San Rafael, CA; and 4) approved a 10% contract contingency, and authorize a total contract amount of \$17,136,421.50.

### ANALYSIS

A Design-Build Contract is an alternative contracting method in which a single Design-Build Entity both designs and builds a project. This method expedites project delivery by reducing the number of contracts under the project, overlapping the design and construction phases, potentially reducing project costs, and minimizing disputes between designer and contractor. The proposed procurement method will follow Section 3-60 of the City of Santa Rosa Municipal Code. This method allows for selection of a Design-Build firm through a Request for Proposals (RFP) process based on performance objectives established for the project.

A Selection Committee will review and rank the proposals based on the evaluation criteria outlined in Section 3-60.120 of the City Code. Upon completion of the proposal rating process, the Selection Committee will make a recommendation to the award authority to award the Design-Build contract to the Design-Build Entity whose proposal is selected as providing the best value, meeting the interest of the City, and meeting the objectives of the project.

This project is an ideal candidate for the Design-Build selection process because it does not require extensive design and many of the project specific requirements have been itemized in the Riparian Habitat Mitigation Plan.

### FISCAL IMPACT

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Approval of this action does not have a fiscal impact on the General Fund.

ENVIRONMENTAL IMPACT

This action is exempt from the California Environmental Quality Act (CEQA) because it is not a project this time, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, pursuant to CEQA Guidelines Section 15378. Environmental review will be evaluated prior to rehabilitation of the riparian habitat.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable

NOTIFICATION

Not applicable

ATTACHMENTS

Not Applicable

PRESENTERS

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