



**AGENDA SUMMARY  
EUREKA CITY COUNCIL**

**TITLE:** Elk River WWTP Wet Weather Improvements Bid No. 2025-5 - Award

**DEPARTMENT:** Engineering Department

**PREPARED BY:** Brittany Powell, Project Manager

**PRESENTED FOR:**  **Action**  **Information only**  **Discussion/Direction**

**RECOMMENDATION**

- 1) Declare McCullough Construction Inc. the low bidder for Bid No. 2025-5 Elk River Wastewater Treatment Plant Wet Weather Improvements Project; and,
- 2) Award Bid No. 2025-5 to McCullough Construction Inc. for the amount of \$16,885,548; and
- 3) Approve \$20,000,000 for construction, which includes approximately 18% for construction engineering services, construction management services and contingency.

**FISCAL IMPACT**

No Fiscal Impact  Included in Budget  Additional Appropriation

**COUNCIL GOALS/STRATEGIC VISION**

- **2040 General Plan Goal U-2.1:** Continue efforts to maintain and improve the City's wastewater collection and treatment system capacity for all segments of the community to satisfy dry and wet weather conditions in accordance with applicable discharge standards.

**BACKGROUND**

The City of Eureka's Elk River Wastewater Treatment Plant (ERWWTP) is regulated by the North Coast Regional Water Quality Control Board (RWQCB) through application of National Pollutant Discharge Elimination System (NPDES) permit. In 2016, the RWQCB issued Cease and Desist Order No. R1-2016-0012 (CDO) and the ERWWTP began operating under a new NPDES permit, Order No. R1-2016-0001, which specifically disallowed the historical practice termed 'blending.' Blending is the bypassing of primary-treated wet weather flows in excess of 12 million gallons per day (MGD) around the biological treatment system and directly to disinfection.

In response to the CDO, the City prepared a Wet Weather Improvement Plan (WWIP). The WWIP includes a summary of past, current, and proposed efforts to eliminate secondary treatment bypassing at WWTP. In the WWIP, eliminating bypassing at the WWTP is approached using two strategies: reduce inflow to the WWTP from the sewer collection system by eliminating inflow and infiltration (I/I), and increase hydraulic capacity of the WWTP by optimizing and upgrading unit operations.

The CDO schedule lists a compliance date of July 1, 2028 to eliminate bypassing.

On January 3, 2023, Eureka City Council awarded bid 2023-6 to GHD, Inc. in the amount of \$995,000 for design consulting services. In February of 2025, GHD completed the bid ready design for the ERWWTP Weather Improvements Project.

Funding for this project is from a planned debt issuance from the Wastewater Fund. A portion of these costs will be reimbursed by the Humboldt Community Services District, resulting in a total anticipated debt issuance of approximately \$13 million. On April 22, 2025, City Council adopted a resolution declaring the official intent of the City of Eureka to reimburse itself for certain capital expenditures from the proceeds of indebtedness.

## **DISCUSSION**

On February 23, 2025, the City released Bid No. 2025-5 for construction on the ERWWTP Wet Weather Improvement Project. Three proposals were received by the due date on April 10, 2025, with McCullough Construction Inc. being the low bidder. Staff reviewed and evaluated the bids and determined the low bid to be in conformance with the project requirements. See below table for bid summary.

	McCullough Construction	Wahlund Construction	Mercer-Fraser Company
Total Base Bid	\$16,885,548.87	\$17,299,600.00	\$18,475,125.00

A bid protest was received shortly after the bid opening on April 14<sup>th</sup>, from Wahlund Construction. McCullough Construction responded to the bid protest, disputing Wahlund's contentions. City Engineering staff, the City Attorney's office, as well as legal counsel, Law Office of Clare M. Gibson, reviewed the bid protest, corresponding response and applicable law. Staff and Counsel determined that McCullough Construction the lowest responsible bidder, submitted a responsive bid. The bid protest, response and City response are attached.

The ERWWTP Wet Weather Improvements Project is subject to the provisions of the California Environmental Quality Act (CEQA). However, the Lead Agency determined the project is categorically exempt from CEQA pursuant to the following categorical exemptions: Class I Existing Facilities (§15301) and Class II, Accessory Structures (§15311). These exemptions are not barred by section (§15300.2) as no work will occur in or impact wetlands. The CEQA Notice of Exemption was filed with the County of Humboldt on January 30, 2025.

**SUGGESTED MOTION**

*“I move the City Council approve the recommended action items.”*

**REVIEWED AND APPROVED BY:**

- |   |   |
|---|---|
| City Attorney                                 | City Clerk/Information Services               |
| <input type="checkbox"/> Development Services | Finance                                       |
| <input type="checkbox"/> Fire                 | <input type="checkbox"/> Parks and Recreation |
| <input type="checkbox"/> Personnel            | <input type="checkbox"/> Police               |
| <input type="checkbox"/> Public Works         | Engineering                                   |

**ATTACHMENTS:**