

CITY OF SANTA ROSA  
BOARD OF PUBLIC UTILITIES

TO: BOARD OF PUBLIC UTILITIES  
FROM: JILLIAN TILLES, ASSOCIATE CIVIL ENGINEER  
CAPITAL PROJECTS ENGINEERING  
SUBJECT: REQUEST FOR ADDITIONAL CONTRACT CONTINGENCY –  
REPLACEMENT OF WATER SERVICES AFFECTED BY THE  
TUBBS FIRE  
AGENDA ACTION: MOTION

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RECOMMENDATION

It is recommended by the Transportation and Public Works Department and the Water Department that the Board of Public Utilities, by motion, approve additional contingency for replacing an additional 39 water service lines that were added to the contract after contract award. The cost for the additional contingency is \$70,000.00.

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EXECUTIVE SUMMARY

An additional 39 water service lines were added to the contract after contract award as the water quality team continued monitoring the water service lines affected by the Tubbs fire during construction.

The contractor finished replacing the water service lines in October 2018 and is currently finishing up the permanent trench paving and concrete work.

BACKGROUND

On May 17, 2018, the Board of Public Utilities approved a construction contract with Northern Pacific Corporation in the amount of \$604,490.00 for the replacement of contaminated water services outside the water quality advisory area.

There were approximately 115 services identified for replacement when the contract was awarded. The Department of Transportation and Public Works and the Water Department anticipated that additional services may be added during construction. Therefore, the contract included provisions to allow additional services to be installed on a Force Account basis.

During the course of construction, an additional 39 water service lines were added to the contract for a total of 154 water services.

## PRIOR BOARD OF PUBLIC UTILITIES REVIEW

On May 17, 2018, the Board of Public Utilities approved the project and awarded Construction Contract No. C02213 in the amount of \$604,490.00, to the lowest responsive bidder, Northern Pacific Corporation, of Napa, California for Replacement of Water Services Affected by the Tubbs Fire, and approved a 10% contingency, authorizing the total contract amount of \$694,933.00.

## ANALYSIS

As the work was in progress, Santa Rosa staff continued to monitor the water quality in the area on a weekly basis. Through these monitoring efforts, staff reviewed the existing list of services and further identified additional water service lines for replacement.

The changes to the list were incorporated and the contractor was able to complete the work as they moved through their proposed sequence. At the end of September, staff was contacted by Northern Pacific Corporation requesting compensation under Force Account for the additional water services, after 30 of the 39 services had been replaced and the work was completed.

The definition for Force Account work is as follows: Work ordered on a construction project without an existing agreement on its cost and performed with the understanding that the contractor will bill the owner according to the cost of labor, materials, and equipment, plus a certain percentage for overhead and profit.

As per Section 9-1.04 of the Special Provisions, all Force Account work shall be recorded daily on report sheets prepared by the Contractor and signed by both the Engineer and the Contractor, which was not done for the 30 services.

Transportation and Public Works Department staff has determined that the additional 30 services that were completed prior to Northern Pacific Corporation's request for Force Account payment do not meet the requirements of Section 9-1.04. Staff therefore recommends that these items be paid at Bid Unit prices, which includes the increase in Permanent Trench Paving due to the additional water service lines added to the contract.

The Transportation and Public Works Department recommends that the 9 water service lines that were completed after Contractor notification, consistent with contract provisions, be paid under Force Account.

## FISCAL IMPACT

The contract documents have been prepared to meet FEMA procurement guidelines and the City will seek reimbursement for the work.

## ENVIRONMENTAL IMPACT

This project has been found in compliance with the California Environmental Quality Act (CEQA). Pursuant to CEQA Guideline Section 15301(b) in that it involves the repair of existing public utilities involving no expansion of the existing use.

## BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

N/A

## CONTACT

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