

CITY COUNCIL

For City Clerk's Use:

☐ **APPROVED** ☐ **DENIED**

Reso No. _____ File No. _____

Ord No. _____

Agenda Item No.: 9

Date: October 3, 2012

TO: Honorable Mayor and Members of the City Council

FROM: Christopher W. McKinney, Director of Utilities

SUBJECT: Budget Adjustment Request and Contract Change Order for RGP 87 - Sewer Outfall Mitigation Project

RECOMMENDATION:

The Utilities Department requests that the City Council:

1. Adopt Resolution No. 2012-170 authorizing the Deputy Director of Utilities to execute a Change Order with Southland Paving for additional work related to RGP87 – Sewer Outfall Mitigation Project on a time and materials basis in an amount not to exceed \$500,000.
2. Approve a budget adjustment in the amount of \$500,000 to CIP 807201 RGP87 – Sewer Outfall Mitigation Project with \$500,000 from CIP 801706 HARRF Upgrades.

FISCAL ANALYSIS:

Additional funding is available in the amount of \$500,000 from CIP 801706 HARRF Upgrades.

PREVIOUS ACTION:

On August 15, 2012, City Council approved a contract with Southland Paving for RGP87 – Sewer Outfall Mitigation Project in the amount \$882,000.

BACKGROUND:

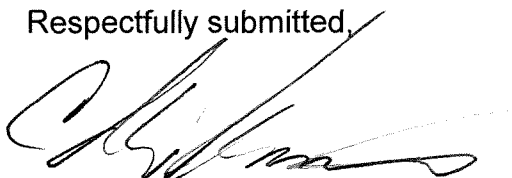
The RGP87 – Sewer Outfall Mitigation Project is a required mitigation project to enable necessary maintenance activities to commence on the sewer land outfall. The basics of the project are to plant native vegetation on approximately 2.8 acres in Kit Carson Park after grading the site and removing excess material. The site was known to have been used to dry and stockpile dredged materials from the lakes at the park. The estimated volume of the materials to be removed was approximately 37,000 cubic yards.

Southland Paving began working on September 15, 2012, and by the end of the first week they had encountered a significant volume of unexpected debris beneath the surface soils. The contractor was directed to perform exploratory excavations to identify the limits of the buried debris which was done

on September 24, 2012. It was determined that the debris was buried across most of the site consisting of concrete, asphalt, pipe, tires and assorted other items and in some areas was as much as 6-feet thick. This Change Order is necessary to perform the site clean-up of the dumped materials. Since the dump site has been discovered the city has no option but to take appropriate action to clean the site then complete the restoration project. The contractor will need to mobilize screening equipment in order to sort the debris from suitable soil needed to complete the original project. The debris will need to be sorted for what can be recycled, organics, and landfill disposal. Since the discovered materials are mixed with each other as well as with soil the sorting process is the most economical option available. The only other option to dispose of the mixed materials is at a landfill and the tipping fees would be cost prohibitive with the tens of thousands of tons to move plus we would then need to import fill soil.

As the level of effort required for the full clean-up cannot be determined at this time due to the unknown total volume and distribution of the buried debris a time and materials change order is in the best interest of both the city and the contractor. The requested \$500,000 is a best estimate derived in a combined effort by city staff and the contractor based on available information and may vary up or down as work progresses dependent upon unknown conditions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Craig Whittemore', with a long horizontal flourish extending to the right.

Craig Whittemore
Deputy Director of Utilities
Construction and Engineering



CITY OF ESCONDIDO
BUDGET ADJUSTMENT REQUEST

Date of Request: September 26, 2012
Department: Utilities
Division: Engineering/Construction
Project/Budget Manager: Craig Whittemore 4038
Name Extension
Council Date (if applicable): October 3, 2012
(attach copy of staff report)

For Finance Use Only	
Log #	
Fiscal Year	
	Budget Balances
	General Fund Accts
	Revenue
	Interfund Transfers
	Fund Balance


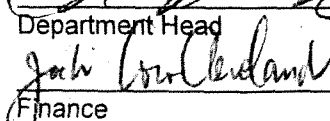
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Project/Account Description	Account Number	Amount of Increase	Amount of Decrease
Outfall Mitigation Project	557-807201	500,000	
HARRF Upgrades	557-801706		500,000

Explanation of Request:

To fund a construction change order to the RGP87-Sewer Outfall Mitigation Project currently under construction.

APPROVALS

	<u>9/26/2012</u>		
Department Head	Date	City Manager	Date
	<u>9/26/12</u>		
Finance	Date	City Clerk	Date

Distribution (after approval):

Original: Finance

RESOLUTION NO. 2012-170

**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF ESCONDIDO, CALIFORNIA,
AUTHORIZING THE DEPUTY DIRECTOR OF
UTILITIES TO EXECUTE, ON BEHALF OF
THE CITY, A CHANGE ORDER WITH
SOUTHLAND PAVING, INC. FOR RGP 87 –
SEWER OUTFALL MITIGATION PROJECT**

WHEREAS, the City has begun construction on the RGP 87 – Sewer Outfall Mitigation Project; and

WHEREAS, Southland Paving, Inc. has encountered unknown volumes of unknown buried construction debris; and

WHEREAS, the sorting and disposal of the unknown debris is not included in the contract scope of work with Southland Paving, Inc.; and

WHEREAS, having discovered said buried debris within the project limits, the City is obligated to clean-up the debris in order to complete the project; and

WHEREAS, the Director of Utilities recommends that the most efficient means to perform the clean-up is through a Change Order with Southland Paving, Inc.; and

WHEREAS, this City Council desires at this time and deems it to be in the best public interest to approve said Change Order with Southland Paving, Inc.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Escondido, California, as follows:

1. That the above recitations are true.

2. That the Deputy Director of Utilities is hereby authorized to execute, on behalf of the City, a Change Order with Southland Paving, Inc. A copy of the Change Order is attached as Exhibit "1" and is incorporated by this reference.

EXHIBIT "1"



City of Escondido
Utilities Construction Management
1521 South Hale Avenue
Escondido, CA 92029

**Contract
Change
Order
01**

Project: RGP 87 Mitigation Project **Public Improvement Agreement No. A- 3057**
Contractor: Southland Paving, Inc.
361 North Hale Avenue **Account # 5203-557-420-807201**
Escondido, CA 92029-1716 **PO #33684**

Description of change: This contract change order is a notice to proceed on extra work to excavate and screen out the foreign materials that were uncovered at the RGP 87 site. Use the previously approved equipment rental rates. For this work reference the Contract General Conditions 11.2 COST OF WORK – (FORCE ACCOUNT BASED ON TIME AND MATERIALS).

Dig out the material and screen and separate the asphalt and other foreign materials from the dirt. Use manual labor if necessary to remove trash from dirt. Haul trash to the dump.

If there is foreign material found at design finish grade, remove the materials and use fill material to re-establish design finish grade. Fill may contain some organics: it's not structural fill.

Clean concrete only may be buried at selected sites.

To the extent possible, haul recyclable materials to a recycle yard.

Keep track of equipment, labor and materials used. Keep a running total of costs.

Reason for change: During the execution of the work, a large amount of foreign material was found at the site. This CO is intended to fund the necessary additional work.

Notice to Proceed: 9/15/12		Agreed Upon Lump Sum	Unit Prices	Costs Plus	Calendar Days	Total Revised Contract Days	Completion Date
Original Contract	\$ 882,000.00					240	5/12/2013
CO 01				X			
Amended Contract Amount		\$	Amended Contract Completion Date*				5/12/2013

Approved By:

Contractor: _____ Construction Manager: _____

Name: _____ Date: _____

Title: _____ Deputy Utilities Director: _____

Date: _____ Date: _____

* Plus the time expended on Time & Materials, not known at this time. The "5yr Maintenance" is not included in this date. Currently the permits do not allow us to work past October 30th with heavy equipment. Helix Environmental is working on permit modifications for a time extension on our behalf.