



City of San Leandro

Meeting Date: March 19, 2018

Staff Report

File Number: 18-117 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.G.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Keith Cooke
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a Resolution to Authorize a Change Order and to Accept the Work for the Water Pollution Control Plant Dirt Removal 2017, Project No. 2015.0300

SUMMARY AND RECOMMENDATIONS

This project was modified to provide testing of a portion of the soil generated by the Water Pollution Control Plant (WPCP) Rehabilitation project.

Staff recommends authorizing a change order to modify the scope of work and accepting the soil testing work done by Pacific States Environmental Contractors, Inc. (Contractor), releasing the bonds for the work, and filing the notice of completion.

BACKGROUND

The Water Pollution Control Plant (WPCP) rehabilitation project generated a large volume of soil, most of which was off hauled as part of the original construction project. Approximately 40,000 tons of the dirt generated was found to have higher than expected levels of metal and other contaminants and was stockpiled on site for possible treatment, re-use, or off haul.

The subject dirt was stockpiled on site because the cost of treatment, re-use, and/or off haul was deemed to be significant enough to warrant competitive bidding of the work.

This contract was originally for removal of approximately half the dirt stockpiled on site; however, the contract was modified significantly as described below.

Analysis

Staff halted work on the contract upon receipt of additional test results indicating that the dirt was

too contaminated to be hauled as specified in the bid and as identified in the original testing. Staff requests authorization to issue a change order for negative \$719,735 (-98.6%) to cancel the dirt hauling work and compensate the Contractor only for its costs to move equipment in and out, collect dirt samples, and run laboratory tests on the dirt.

Since no construction work will be completed Staff recommends that the bond described in the contract for security during the one-year maintenance period should be waived.

Staff is evaluating the most economical alternative for disposal of this dirt, and a separate bid for the work will be conducted if or when a solution is chosen.

Current Agency Policies

Maintain and enhance San Leandro’s infrastructure.

Previous Actions

On January 21, 2014, via resolution 14-005, Council appropriated funding for off haul of contaminated soil.

On October 2, 2017, via resolution 2017-136, Council awarded the contract for WPCP Dirt Removal 2017.

Applicable General Plan Policies

Policy CSF 6.4: Wastewater Collection and Treatment. Maintain efficient, environmentally sound, and cost-effective wastewater collection and treatment services in San Leandro.

Permits and/or Variances Granted

None.

Environmental Review

This project is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15304(a) of the CEQA guidelines.

Summary of Public Outreach Efforts

Outreach was limited to advertisement and solicitation of bids.

Fiscal Impacts

Original Bid for this contract	\$729,900
Change order to cancel dirt hauling and pay for only for soil testing work	<u>(\$719,735)</u>
Final Contract amount	\$10,165

The total project cost is undetermined at this time; however, it could be as high as \$6,000,000 if the remaining soil is hauled to a Class 1 disposal facility.

Design and Bid:	\$ 200,000
Hauling of dirt:	\$5,600,000
Construction Management and Inspection:	<u>\$ 200,000</u>
Total:	\$6,000,000

Budget Authority

<u>Account No.</u>	<u>Reso No, Appropriation Dates & Source</u>	<u>Amount</u>
593-52-229	14-005, January 21, 2014, WPCP Enterprise Fund	\$2,650,000

PREPARED BY: Nick Thom, City Engineer, Engineering and Transportation Department



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Meeting Date: March 19, 2018

Resolution - Council

File Number: 18-118 **Agenda Section:** CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Keith Cooke
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: RESOLUTION to Authorize a Change Order and to Accept the Work for the Water Pollution Control Plant Dirt Removal 2017, Project No. 2015.0300 (provides for testing dirt from the Water Pollution Control Plant)

WHEREAS, pursuant to a construction contract between the City of San Leandro and Pacific States Environmental Contractors, Inc. approved on October 2, 2017, by Resolution No. 2017-136, Pacific States Environmental Contractors, Inc. has completed the Water Pollution Control Plant Dirt Removal 2017 project; and

WHEREAS, the work was stopped after testing of the dirt to be removed; and

WHEREAS, said work was completed in accordance with the plans and specifications and to the satisfaction of the Engineering and Transportation Director, who therefore recommends that said work be accepted.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

1. That staff is authorized to execute a change order for negative \$719,735 (-98.6%) to remove dirt hauling from the contract.

2. That the work hereinbefore described is hereby accepted; and

3. That the City Clerk is hereby directed to file a Notice of Completion on said project; and

4. That the bonds heretofore given for performance and payment of said conditions are hereby discharged and exonerated from further liability when the statute of limitations expires after the recording of the Notice of Completion; and

5. That due to the scope and nature of the work the maintenance bond requirement be

waived.