

STAFF REPORT



ITEM NO. **12**
CITY OF OCEANSIDE

DATE: April 5, 2006

TO: Honorable Mayor and City Councilmembers

FROM: Public Works Department

SUBJECT: **ADOPTION OF A BUDGET RESOLUTION TRANSFERRING \$150,000 TO THE ARROYO/COMANCHE LANDSLIDE WINTERIZATION PROJECT; APPROVAL OF CHANGE ORDERS 1, 2 AND 3 AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE THE CHANGE ORDERS; AND ACCEPTANCE OF IMPROVEMENTS FOR THE PROJECT**

SYNOPSIS

Staff recommends that the City Council adopt a budget resolution transferring \$150,000 from the General Fund Unallocated Fund Balance to the Arroyo/Comanche Landslide Winterization Project; approve Change Orders 1, 2 and 3 and authorize the Public Works Director to execute the change orders; and accept the improvements for the project constructed by Vinci Pacific Corporation of Santa Fe; and authorize the City Clerk to file the Notice of Completion with the San Diego County Recorder.

BACKGROUND

In January of 2005, a landslide attributed to record setting seasonal rainfall amounts, destroyed six homes on Arroyo Avenue. The City of Oceanside enlisted the services of Geotechnical and Civil Engineering consultants to assess the situation and develop a landslide mitigation strategy, which included erosion control elements.

This system of components was designed to remove the heavy overburden of slide material, facilitate improved drainage and provide a measure of erosion protection against next season's rainfall by helping to prevent soil saturation. It also provided for the installation of designated survey monitoring points to check future slide movement.

Construction work included removal and disposal of the remaining structures (fences, swimming pools, utility buildings, concrete slabs, etc.), clearing of vegetation, earthwork grading and removals to address loose surface soils and create positive drainage, construction of concrete brow ditches to collect surface drainage and a French drain along the westerly curb line of Arroyo Avenue to collect subsurface drainage.

On October 5, 2005, the City Council approved a Capital Project Account in the amount of \$650,000 for interim improvements to winterize the Arroyo/Comanche Street

landslide area, and authorized the City Manager to solicit informal bids to complete work due to the emergency need to expedite such work, and adopted a budget resolution transferring \$650,000 from the General Fund Unallocated Fund Balance to the General Capital Project Fund to pay for necessary improvements.

On October 19, 2005 the City of Oceanside accepted the bid of Vinci Pacific Corporation of Santa Fe, in the amount of \$492,986 for the completion of the project. Vinci Pacific was the only bidder. Construction began on Friday, November 11, 2005 and was completed on January 31, 2006.

ANALYSIS

Change Order 1 for \$119,756.48 provides for the additional work necessary to address the progressively changing earthwork conditions, which continued to develop as the clearing, demolition and excavation operations cut deeper into the slide debris and formation. Concurrent Geotechnical analysis of the slide allowed for continual reconfiguration of the earthwork removal operations to accommodate the evolving geology. These significant revisions to the clearing, demolition, and earthwork removals as well as changes to surface storm water drainage mitigation BMP's, improvements to new underground storm water collection and drainage elements, repair of damaged concrete sidewalk, curb & gutter and asphalt roadway as well as reimbursables to provide electrical power to the site all contributed to the additional costs of this change order.

Change Order 2 for \$7,140 accounts for the procurement and installation of an effluent flow meter and monitoring system to measure the quantities of underground storm water being collected and redirected from the slide area by the new storm water collection structure components.

Change Order 3 for \$10,280 provides for additional Project Management and Construction Management to ensure proper and successful implementation of Change Orders 1 and 2.

FISCAL IMPACT

The Capital Project Account appropriation for the interim improvements to the Arroyo/Comanche Street landslide area is \$650,000. The construction cost for this project, including Change Orders 1 and 2 are \$619,882.48. The estimated costs for the Civil and Geotechnical Engineering, Construction Management, Project Management, inspection and testing are \$178,992. Total project costs including contingency are \$800,000. Sufficient funds will be available to complete this project pending approval of a budget resolution.

INSURANCE REQUIREMENTS

The City's standard insurance requirements have been met and are currently in effect.

COMMISSION OR COMMITTEE REPORT

Does not apply.

CITY ATTORNEY'S ANALYSIS

The referenced documents have been reviewed by the City Attorney and approved as to form.

RECOMMENDATION

Staff recommends that the City Council adopt a budget resolution transferring \$150,000 from the General Fund Unallocated Fund Balance to the Arroyo/Comanche Landslide Winterization Project; approve Change Orders 1, 2 and 3 and authorize the Public Works Director to execute the change orders; and accept the improvements for the project constructed by Vinci Pacific Corporation of Santa Fe; and authorize the City Clerk to file the Notice of Completion with the San Diego County Recorder.

PREPARED BY:



Gary Kellison
Senior Civil Engineer

SUBMITTED BY:



Steven R. Jepsen
City Manager

REVIEWED BY:

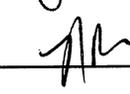
Michelle Skaggs Lawrence, Assistant to the City Manager

Peter A. Weiss, Public Works Director

Nita McKay, Financial Services Director







1 RESOLUTION NO. _____

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OCEANSIDE
3 AMENDING THE BUDGET FOR THE 2005-2006 FISCAL YEAR

4 WHEREAS, Resolution No. 05-R0433-1 approving the Capital
5 Improvements Program budget for fiscal year 2005-2006 was adopted
6 on June 15, 2005; and

7 WHEREAS, the City Manager has recommended and the City
8 Council desires to approve certain amendments to said budget;

9 NOW, THEREFORE, the City Council of the City of Oceanside
10 does resolve as follows: that the Financial Services Director is
11 authorized to amend the budget as requested and to record
12 interfund cash transfers as required in accordance with this
13 resolution and Resolution No. 05-R0433-1 adopting the Capital
14 Improvements Program budget for fiscal year 2005-2006 is hereby
15 amended as follows:

16 Reviewed by Financial Services 

PURPOSE		
To increase the CIP budget by \$150,000 to establish a CIP project to winterize the Arroyo/Comanche Street landslide area using General Fund Unallocated Fund Balance.		
IN ORDER TO ACCOMPLISH THIS PURPOSE, THE FOLLOWING ACCOUNTING ENTRY IS NEEDED		
ADDITION	ACCOUNT NUMBER & NAME	AMOUNT
(101) 604890.6990.00501	Trns-t Gen Cap Proj Fd	\$150,000
(501) 875449.5392	Non Cap Improv	150,000
SOURCE	ACCOUNT NUMBER & NAME	AMOUNT
(101) 101.3301	General Fund Balance	\$150,000
(501) 5010.4990.00101	Trns-f General Fd	150,000
FUND: (101) General Fund		
(501) General Capital Projects Fund		

17 PASSED AND ADOPTED by the City Council of the City of Oceanside
18 this ___ day of _____, 2006, by the following vote:

19 AYES:
20 NAYS:
21 ABSENT:
22 ABSTAIN:

23 ATTEST:

MAYOR OF THE CITY OF OCEANSIDE

24
25
26
27 CITY CLERK

**CITY OF OCEANSIDE
CONTRACT CHANGE ORDER**

DATE February 22, 2006
PROJECT # 501.875449

PROJECT TITLE: Arroyo Comanche Landslide Winterization Project

CHANGE ORDER # 1 PURCHASE ORDER # _____

This change order provides for:

Additional clearing, grading, erosion control, trenching, paving, concrete sitework and meter pedestal. See attached Vinci Pacific Change Order No. 1 for line item breakdown and description of costs.

TOTAL COST: \$119,756.48

All equipment, materials, labor and other incidentals shall be included in this lump sum price for this Change Order. This Change Order shall include all general contractor's overhead, profit and incidentals, and contractor shall not be entitled to any additional payment regarding this change order. Prices are for work complete and in place.

Estimated Cost: Increase \$119,756.48 Decrease \$0.00 No Change \$0.00

By reason of this order the time of completion will be adjusted as follows 30 days.

Recommended by: 
Bryan C. Tuschhoff, Construction Manager

Contract Summary:

Initial Contract Amount: \$492,986.00
Previous Change Orders: \$0.00 (0.0000%)
This Change Order: \$119,756.48 (24.2921%)
Total to Date: \$612,742.48 (24.2921%)

Approved: **CITY OF OCEANSIDE**

By: _____
Peter Weiss, Director of Public Works

Approved: **VINCI PACIFIC CORPORATION**

By: 
Michael Asbell, Estimator

Additional Appropriation Required: X
Yes No

Original to: **City Clerk**
Copies to: **Accounts Payable** Contractor Inspector File

**CITY OF OCEANSIDE
CONTRACT CHANGE ORDER**

DATE February 22, 2006
PROJECT # 501.875449

PROJECT TITLE: Arroyo Comanche Landslide Winterization Project

CHANGE ORDER # 2

PURCHASE ORDER # _____

This change order provides for:

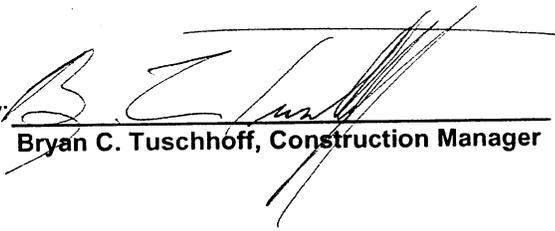
Installation of a flow meter and associated telemetry to monitor sump pump effluent discharge. See attached Vinci Pacific Change Order No. 2 for line item breakdown and description of costs.

TOTAL COST: \$7,140.00

All equipment, materials, labor and other incidentals shall be included in this lump sum price for this Change Order. This Change Order shall include all general contractor's overhead, profit and incidentals, and contractor shall not be entitled to any additional payment regarding this change order. Prices are for work complete and in place.

Estimated Cost: Increase \$7,140.00 Decrease \$0.00 No Change \$0.00

By reason of this order the time of completion will be adjusted as follows 14 days.

Recommended by: 
Bryan C. Tuschhoff, Construction Manager

Contract Summary:

Initial Contract Amount: \$492,986.00
Previous Change Orders: \$119,756.48 (24.2921%)
This Change Order: \$7,140.00 (1.4483%)
Total to Date: \$619,882.48 (25.7404%)

Approved: **CITY OF OCEANSIDE**
By: _____
Peter Weiss, Director of Public Works
Approved: **VINCI PACIFIC CORPORATION**
By: 
Michael Asbell, Estimator

Additional Appropriation Required: X
Yes No

Original to: City Clerk
Copies to: Accounts Payable Contractor Inspector File



March 6, 2006

JN 55-100192.020

Mr. Peter Weiss
Director of Public Works
CITY OF OCEANSIDE
300 N. Coast Highway
Oceanside, CA 92054

Subject: Proposal for Professional Project Management, Pre-Construction, and Construction Management Services; Arroyo Avenue Landslide Grading; Addendum No. 01

Dear Mr. Weiss:

Attached, for your consideration, is our Addendum No. 01 covering additional Professional Project and Construction Management Services for the completion of the Arroyo Avenue Landslide Grading Project.

We estimate our Construction Management Services will be required through the end of March 2006. Accordingly, this addendum covers our work beginning February 13, 2006, and continuing through March 31, 2006.

All work performed under this authorization will be completed on a time-and-materials basis in accordance with our original agreement package. Our estimate for this work is \$10,280.00, as outlined in our attached Exhibit "A".

We look forward to continuing our relationship with the City of Oceanside and to the successful completion of the Arroyo Avenue Landslide Grading Project. Should you require further information, or have any questions, please contact me at (760) 603-6255. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Todd W. Niemann', is written over a horizontal line.

Todd W. Niemann, RCI
Vice President
Construction Management

H:\PDATA\55100192\020 - Arroyo Avenue\add 1 coverletter.doc

Attachments: Exhibit "A" Compensation

Cc: Bryan Tuschhoff
Erin Newton, MS 500

PLANNING ■ DESIGN ■ CONSTRUCTION

5050 Avenida Encinas, Suite 260, Carlsbad, CA 92008-4386 ■ 760.476.9193 ■ Fax 760.476.9198

Offices located throughout California, Arizona & Nevada ■ www.RBF.com

printed on recycled paper

EXHIBIT "A"
COMPENSATION
Arroyo Avenue Landslide Grading Project

ADDENDUM 01
For services beginning February 13, 2006 thru March 31, 2006

RBF shall be compensated for the Scope of Services described herein on a time and materials basis for hours expended and approved reimbursable expenses incurred in that month based on the following budget:

ESTIMATED BUDGET

Construction Management Services:

Project Completion Effort:

80 hours at \$126/hour (7 weeks) \$ 10,080.00

Reimbursable:

Mileage \$ 100.00

Reproduction / Photographs \$ 100.00

\$ 200.00

TOTAL BUDGET

\$ 10,280.00

Notes:

Original fee estimate was based on construction duration of 30 calendar days.

This fee does not include survey, deputy/special inspections, soil, and/or material testing services.

Blueprinting, reproduction, messenger service, mileage, and other direct reimbursable expenses will be charged as an additional cost plus 15%.

Progress billings will be forwarded to the City of Oceanside on a monthly basis. These billings will include the fees earned for the billing period plus all direct costs advanced by RBF. The City of Oceanside will make every reasonable effort to review invoices within fifteen (15) working days from the date of receipt and will notify RBF of any particular item that is alleged to be incorrect.

Should the budget amount set for each task reach 80%, the City of Oceanside Project Manager and RBF will review the status of the work to determine the need for an increase in the budget amount, and whether additional budget authorization to complete the task is appropriate.

Progress billings must include weekly summary of time spent on the individual tasks. Summary shall include time and description of activity to the nearest hour.

The hourly rates proposed herein shall apply until January 1, 2007. Due to ever-changing costs, RBF will increase those portions of the contract fee for which work must still be completed after *January 2007* by ten percent (10%).

Exhibit "A" Scope of Services
Client Initials _____