

*STAFF REPORT**CITY OF OCEANSIDE*

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DATE: February 1, 2012

TO: Honorable Mayor and City Councilmembers

FROM: Development Services Department

SUBJECT: **ACCEPTANCE OF THE EI CAMINO REAL DETENTION BASIN PROJECT AND AUTHORIZATION FOR THE CITY CLERK TO FILE A NOTICE OF COMPLETION**

**SYNOPSIS**

Staff recommends that the City Council accept the improvements constructed by KIP Incorporated of Murrieta for the El Camino Real Detention Basin project, and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

**BACKGROUND**

On August 12, 2009, the City Council approved the plans and specifications for the El Camino Real Detention Basin project and authorized a call for bids. On December 16, 2009, the City Council awarded a contract in the amount of \$1,064,735.55 to KIP Incorporated for the project construction.

On October 20, 2010, the City Council approved Construction Change Order 1 in the amount of \$163,764.53 to KIP Incorporated, for additional concrete and dewatering operations for the El Camino Real Detention Basin project and authorized the City Manager to execute the Change Order.

On October 11, 2011, Construction Change Order 2 for a credit of \$4,347.10 was administratively approved.

Environmental monitoring and storm water inspection outside the scope of work with KIP Incorporated is still on-going.

**ANALYSIS**

This project is part of the overall Loma Alta Creek Flood Control project to reduce flooding along Loma Alta Creek and enhance water quality. The detention basins reduce the flood risk to downstream properties along Garrison Creek and Loma Alta Creek.

The detention basin projects are funded by Oceanside's local TransNet funds because the basins protect the City's road infrastructure and the Sprinter Rail line. This is to close out KIP's contract that was approved by Council.

**FISCAL IMPACT**

**Construction Costs:**

Bid Award amount	\$1,064,735.55
Change Order 1	\$ 163,764.53
Change Order 2	<u>\$ -4,347.10</u>
 Total Construction Cost	 \$ 1,224,152.98

The majority of the project expenditures occurred in FY 2010-11. The source of the project funds is Transnet (905120200212), and \$950,000 is budgeted in FY 2011-12. The current fiscal year expenditures are approximately \$180,000; therefore, sufficient funds were available for the El Camino Real Detention Basin project in account 905120200212.

**INSURANCE REQUIREMENTS**

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

**COMMISSION OR COMMITTEE REPORT**

The Drainage Subcommittee of the Utilities Commission has been advised of the detention basin, most recently on October 11, 2011.

**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 accept the improvements constructed by KIP Incorporated of Murrieta for the El Camino Real Detention Basin project, and authorize the City Clerk to file a Notice of Completion with the San Diego County Recorder.

PREPARED BY:

Abraham Chen  
Abraham Chen  
Associate Engineer

SUBMITTED BY:

Peter A. Weiss  
Peter A. Weiss  
City Manager

REVIEWED BY:

Michelle Skaggs Lawrence, Deputy City Manager  
George Buell, Development Services Director  
Scott Smith, City Engineer  
Teri Ferro, Financial Services Director

MSL  
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Attachments:

1. Notice of Completion
2. Change Orders 1 and 2

**CITY OF OCEANSIDE**  
**CONTRACT CHANGE ORDER NO. 1**

City Original  
Document No. 10-D0795-1  
10/20/10 (7)

**PROJECT TITLE:**

**El Camino Real Detention Basin**

DATE September 15, 2010

PROJECT No. 905745100520

CHANGE ORDER No. 1

PURCHASE ORDER No. 1000536

**This change order provides for:** Change Order Request 1 through 13. Including; additional excavation, concrete and de-water that were necessary because of the site limitation and un-foreseen sub-surface conditions, project information sign, export of un-suitable material, and additional effort for phasing of C2 wall construction.

**Cost of Change:** In accordance with Section 7.21.4 'CHANGE IN CONTRACT PRICE' and Section 7.21.5 'COST OF WORK' of the General Provisions, this Change Order compensates KIP, Inc. for the extra work covered in Change Order Request 1 through 13 as follows:

Increase in work at Item Bid Unit Price:

Item #4 Foundation Scarification/Recompaction (COR 9) 529 CY @ \$ 13.00	\$6,877.00	( +54.7%)
Item #23 Rip Rap Caltrans Spec 72-5 (COR 13) 235 CY @ \$165.12	\$38,803.20	( +573.2%)
	Subtotal	\$45,680.20

Increase in work at Cost of Work:

For project information sign, additional concrete work, additional dewatering, export of un-suitable material, and for phasing of C2 wall construction.

Agreed Sum Cost of Work      \$118,084.33

For this extra work determined at Increase in Item at Bid Unit Price and at Cost of Work, the contractor shall receive and accept the Agreed Amount of \$ 163,764.53. This sum constitutes full and complete compensation for furnishing all labor, material, equipment, tools, and incidentals including all markups by reason of this change.

**PROJECT TITLE:**

**El Camino Real Detention Basin**

DATE October 6, 2010

PROJECT No. 905745100520

CHANGE ORDER No. 1

PURCHASE ORDER No. 1000536

**Contract Time Adjustment:** By reason of this order the time of completion will be adjusted as follows: 80 Day(s).

**Contract Cost Impact:** Increase  Decrease  No Change  in the Agreed Amount of \$ 163,764.53

**Contract Summary:**

Initial Contract Amount:	\$	1,064,735.55		
Prior CCOs (0):	\$	0.00	(	0.0%)
Subtotal:	\$	1,064,735.55	(	100.0%)
Change Order No. 1:	\$	163,764.53	(	15.4%)
Total Contract Amount:	\$	1,228,500.08	(	115.4%)

Additional Appropriation Required:                       

Yes                      No

Recommended by: Abraham Chen

**Abraham Chen, Project Manager  
CITY OF OCEANSIDE**

Accepted By: [Signature]

Printed Name: GREG D. QUIRING

**KIP, Inc.  
CONTRACTOR**

Approved by: [Signature]

**Scott O. Smith, City Engineer  
CITY OF OCEANSIDE**

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



