

STAFF REPORT



ITEM NO. 9

CITY OF OCEANSIDE

DATE: September 4, 2013

TO: Honorable Mayor and City Councilmembers

FROM: Water Utilities Department

SUBJECT: **APPROVAL OF CHANGE ORDER NO. 2 FOR THE DIGESTER CLEANING AND REPAIR PROJECT AT THE THE SAN LUIS REY WASTEWATER TREATMENT FACILITY**

SYNOPSIS

Staff recommends that the City Council approve Change Order No. 2 in an amount not to exceed \$214,280 to Synagro-WWT, Inc., of Suisun City for the Digester Cleaning and Repair project; and authorize the City Engineer to execute the change order.

BACKGROUND

On November 30, 2011, the City Council approved an agreement with Carollo Engineers to prepare the plans and specifications for the San Luis Rey Wastewater Treatment Facility Digester Cleaning and Repair Project.

On August 29, 2012, the City Council approved the plans and specifications for the construction of the Digester Cleaning and Repair project and authorized the City Engineer to call for bids.

On November 9, 2012, no bids were received prior to the bid deadline; however one bid from Synagro-WWT, Inc. did arrive after the stipulated deadline. Section 20166 of the California Public Contracting Code states that if no bids are received, the legislative body may have the project completed without further complying with this Section of the Code. Therefore, the City contacted the only interested bidder who submitted a late bid, Synagro-WWT, Inc., of Suisun City, with a bid in the amount of \$213,500. Staff has reviewed the bid submitted by Synagro-WWT, Inc. and found that its bid, bid bond and references were in accordance with City standards. The engineer's estimate to construct the project was \$216,000.

Work began shortly after the Notice to Proceed was issued and the Contractor has successfully cleaned and legally disposed of approximately 100,000 gallons of material from Digester No. 1. The City inspected the Digester after the cleaning and determined it is structurally sound and able to be placed back in service. The Contractor was in the process of starting the mechanical improvements when the treatment plant experienced an issue with overloading in Digester No. 3.

Change Order 1 was issued on May 13, 2013, as a no cost change order to extend the contract time for ordering material and to accommodate the City's schedule to place Digester No. 1 back in service in an attempt to resolve the overloading issue in Digester No. 3 (Exhibit A). Subsequently, it has been determined by both the SLRWWTP staff and the engineer that this Digester No. 3 also needs to be cleaned in order to operate properly and efficiently. In addition, improvements to the original mechanical equipment for Digester No. 1 need to be finished.

ANALYSIS

The City discussed the additional work with Synagro-WWT and the contractor is willing to hold the Bid Item unit prices at their original bid amounts. Since the storage capacity of Digester No. 3 is approximately 50,000 gallons more than Digester No. 1, the Contractor will need to clean and dispose of 150,000 total gallons of material; this is an increase of 50% along with the lack of mechanical work resulted in a total Change Order cost similar to the original bid amount.

Digester No. 3 was scheduled for cleaning in the FY 13/14 budget as part of the Wastewater Capital Improvement Program. Change Order No. 2 is comprised of mobilization, cleaning and proper disposal of approximately 150,000 gallons of material, dewatering and odor control work associated with the required cleaning (Exhibit B).

FISCAL IMPACT

The Fiscal Year 13/14 adopted budget for the San Luis Rey Digester Rehabilitation fund (909123100722.5703.10600) has an available balance of \$275,000. The original construction contract was \$213,500 and is being paid for with carryover funds from the FY 12/13 project. Change Order No. 2 is in an amount of \$214,280; Therefore, there are sufficient funds available to complete this project.

INSURANCE REQUIREMENTS

The City's standard insurance requirements will be met.

COMMISSION OR COMMITTEE REPORT

The Utilities Commission will be updated at its regularly scheduled meeting on September 17, 2013.

CITY ATTORNEY'S ANALYSIS

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

RECOMMENDATIONS

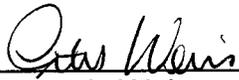
Staff recommends that the City Council approve Change Order No. 2 in an amount not to exceed \$214,280 to Synagro-WWT, Inc., of Suisun City for the Digester Cleaning and Repair project; and authorize the City Engineer to execute the change order.

PREPARED BY:



Jason Dafforn
Water Utilities Division Manager

SUBMITTED BY:



Peter A. Weiss
City Manager

REVIEWED BY:

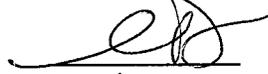
Michelle Skaggs-Lawrence, Deputy City Manager

Cari Dale, Water Utilities Director

Scott Smith, City Engineer

Michael Blazenski, Interim Financial Services Director









- Exhibit A: Change Order No. 1
- Exhibit B: Change Order No. 2

**CITY OF OCEANSIDE
CONTRACT CHANGE ORDER**

PROJECT TITLE: SAN LUIS REY WATER RECLAMATION FACILITY DIGESTER NO. 1 CLEANING AND REPAIR	CHANGE ORDER No.	<u>1</u>
	PROJECT No.	<u>909123100722</u>
	DATE	<u>May 15, 2013</u>
	PURCHASE ORDER #	<u>1001664</u>

This change order provides for:

Due to delays in the mechanical work of this contract, it is agreed by all parties to issue a non-compensatory time extension for a period of 12 weeks. The contract completion date shall be revised from July 16, 2013 to October 8, 2013 due to this change order. The contract work will resume when Synagro-WWT, Inc. (Synagro) has all materials on site and inspected. At that time a formal letter will be issued as a Notice to Proceed (NTP) for the mechanical work and Synagro will have 30 calendar days from the date of the mechanical work NTP to complete the project. The City reserves the right to determine when the revised work start date will occur within this extended 12 week period.

Cost of Change: In accordance with Section 7.21.4 (b) CHANGE IN CONTRACT PRICE of the General Provisions, this Change Order compensates (contractor) as follows:

Cost: Increase _____ Decrease _____ No Change X

Upon careful consideration of the work specified by this change order, the contractor agrees to provide all equipment and labor, to furnish the materials except as otherwise noted above, and will accept the prices shown above as full payment to perform the services necessary to complete the work in place.

Contract Time Adjustment:

By reason of this order the time of completion will be adjusted as follows 84 calendar days. This extends the contract duration from 120 calendar days to 204 calendar days.

Recommended by:


Jason Dafforn, Project Manager
CITY OF OCEANSIDE

Contract Summary:

Initial Contract Amount	\$ <u>213,500.00</u>	(100.0%)	Accepted: 
Council Approved CCOs	\$ <u>----</u>	(0.0%)	Printed name: Carolyn Stone - Vice President
Council Approved Contract Amt.:	\$ <u>----</u>	(0.0%)	Synagro-WWT, Inc.
Change Order No(s).	\$ <u>----</u>	(0.0%)	
This Change Order No. (2)	\$ <u>----</u>	(0.0%)	
Contract Amount To Date:	\$ <u>213,500.00</u>	(0.0%)	Approved By:

City Engineer Authority (Section 5.1.3)

City Council Action Required	<u> </u>	<u> X </u>	<u> N/A </u>
	Yes	No	Council Date
Additional Appropriation Required	<u> </u>	<u> X </u>	
	Yes	No	


Scott O. Smith, City Engineer
CITY OF OCEANSIDE

Original to: City Clerk, Contractor

Copies to: Accounts Payable, File

**CITY OF OCEANSIDE
CONTRACT CHANGE ORDER**

Exhibit B

PROJECT TITLE: SAN LUIS REY WATER RECLAMATION FACILITY DIGESTER NO. 1 CLEANING AND REPAIR	CHANGE ORDER No.	<u>2</u>
	PROJECT No.	<u>909123100722</u>
	DATE	<u>August 6, 2013</u>
	PURCHASE ORDER #	<u>1001664</u>

This change order provides for:

In order to complete the mechanical repairs to digester No. 1, Digester No. 3 will need to serve as a primary during construction and shutdown. Digester No. 3 has experienced overloading issues and was scheduled for cleaning in FY 13/14. Since these treatment processes are tied together, Digester No. 3 needs to be thoroughly cleaned in order to utilize during the completion of the mechanical work for Digester No. 1. The attached exhibit is a breakdown of Change Order #2 and the costs for cleaning Digester No. 3. The Contractor has agreed to hold their unit prices provided in the original bid.

This further delays the original mechanical work and Change Order No. 1 issued a non-compensatory time extension for a period of 12 weeks. The contract completion date was revised to October 8, 2013. This completion date will need to be modified and an addition of 50 calendar days will extend the contract completion date to November 27, 2013.

Cost of Change: In accordance with Section 7.21.4 (b) CHANGE IN CONTRACT PRICE of the General Provisions, this Change Order compensates (contractor) as follows:

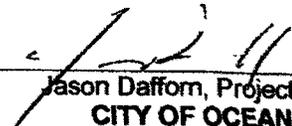
Cost: Increase \$214,280.00 Decrease _____ No Change _____

Upon careful consideration of the work specified by this change order, the contractor agrees to provide all equipment and labor, to furnish the materials except as otherwise noted above, and will accept the prices shown above as full payment to perform the services necessary to complete the work in place.

Contract Time Adjustment:

By reason of this order the time of completion will be adjusted as follows 50 calendar days.
This extends the contract duration from 204 calendar days to 254 calendar days.

Recommended by:


Jason Dafforn, Project Manager
CITY OF OCEANSIDE

Contract Summary:

Initial Contract Amount	\$ 213,500.00	(0.0%)	Accepted:
Council Approved CCOs	\$ _____	(0.0%)	Printed name:
Council Approved Contract Amt.:	\$ _____	(0.0%)	<u>BRIAN VOSS</u>
Change Order No(s).	\$ _____	(0.0%)	Synagro-WWT, Inc.
This Change Order No. (2)	\$ 214,280.00	(100.4%)	
Contract Amount To Date:	\$ 427,780.00	(100.4%)	Approved By:

City Engineer Authority (Section 5.1.3)

City Council Action Required	<u>X</u>	No	N/A
	Yes		Council Date
Additional Appropriation Required	<u>X</u>	No	
	Yes		

Scott O. Smith, City Engineer
CITY OF OCEANSIDE

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

City of Oceanside

ATTACHMENT - BID SCHEDULE FOR SLRWWTP DIGESTER NO. 3 CLEANING PROJECT

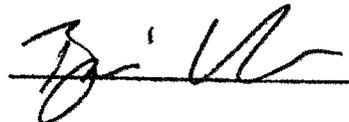
<u>Item</u>	<u>Description</u>	<u>Estimated Quantity</u>	<u>Unit Price</u>	<u>Extended Amount</u>
1.	Bonds, Permits, Mobilization, and Demobilization	1	Lump Sum	\$59,330
2.	Digester No. 3 Dewatering and Cleaning	150,000	Gallons	\$150,000.00
3.	Additional Screening	1	Lump Sum	\$4,950.00

Total Bid Amount in Numerals: \$ 214,280.00 _____

Total Bid Amount in Words: \$ Two hundred fouteen thousand and two hundred eighty dollars and zero cents.

Synagro WWT Inc.
Contractor

Brian Voss
By


By

1550 Phoenix Drive
Address

Beaumont, CA 92223
Address

909-289-3350
Telephone Number