

ALAMEDA COUNTY WATER DISTRICT MEMORANDUM

DATE: March 31, 2011
TO: Board of Directors
FROM: Walt Wadlow
SUBJECT: STAFF REPORT, ACTION CALENDAR ITEMS FOR April 12, 2011

5.1* AUTHORIZATION OF PURCHASE ORDER AMENDMENT FOR COMMERCIAL LABORATORY SERVICES

SUMMARY: An annual purchase order with MWH Laboratories for commercial laboratory services requires an increase of \$20,000 to cover laboratory services needed for the remaining balance of the fiscal year. The new total amount for the purchase order will be \$133,255. There is adequate funding in the Water Quality Laboratory budget to cover this increase.

RECOMMENDATION: By motion, authorize a purchase order amendment in the amount of \$20,000 for commercial laboratory services to MWH Laboratories.

DISCUSSION: Commercial laboratory support is necessary to sustain District operational and regulatory compliance monitoring programs. The District retains the services of a commercial laboratory for analyses for which either the District's in-house water quality laboratory is not certified, or it is not cost effective to perform the analyses in-house. The primary reasons for the purchase order amendment were for additional laboratory services to 1) obtain the California Department of Public Health permits necessary for reclassifying two Aquifer Reclamation Wells (Farwell and Bellflower) as drinking water source wells for the recently expanded Newark Desalination Facility (Desal Facility), and 2) for operational monitoring of the Desal Facility during facility startup in August and September 2010.

5.2* RESOLUTION AWARDED CONTRACT FOR THE WARM SPRINGS MAIN EXTENSION PRUNE TO BROWN PROJECT

SUMMARY: The Warm Springs Main Extension Prune to Brown Project consists of the installation of approximately 5,100 linear feet of 24-inch diameter welded steel pipe and is required to improve the transmission of water to the southern portion of the distribution system. The pipeline is also needed to provide water service to the planned Bay Area Rapid Transit District (BART) Warm Springs Station and to accommodate the San Francisco Public Utilities Commission (SFPUC) Bay Division Pipeline Nos. 3 and 4 Seismic Upgrades Project.

Although there are adequate funds in the CIP to complete the project, a budget transfer is needed for FY 10/11 to accommodate an accelerated project schedule.

RECOMMENDATION: By motion, 1) authorize a budget transfer from Project/CIP No. 06D15/PH0203B Newark Desalination Facility Expansion Project (Job 6350) to Project/CIP No.11D46/MM0201 Warm Springs Main Extension Prune to Brown Project (Job 6478) in the amount of

\$180,000; and 2) adopt a resolution to award the contract for the Warm Springs Main Extension Prune to Brown Project to Ghilotti Construction Company in an amount of \$1,999,405, which is the total of unit price and lump sum payment items, Job 6478.

DISCUSSION: The project was advertised for bids on February 7, 2011. On March 10, 2011, the District received and opened six bids. All bids were checked arithmetically and for compliance with the bidding requirements. Three bids contained arithmetic errors. Correction of these errors resulted in the first and second apparent low-bidders changing positions in the overall bidding order. Two bidders did not meet the specified minimum experience requirements and were determined to be nonresponsive. The corrected bids are shown on the attached bid summary. The totals for comparison ranged from \$1,999,405 to \$2,653,562. The Engineer's Estimate was \$2,103,900.

Ghilotti Construction Company of Santa Rosa, California, submitted the lowest bid. This firm has been in the contracting business under its present name for 18 years doing work similar to that required. References were checked and it was confirmed that the contractor has the necessary qualifications and experience to perform the work.

This project is being completed in accordance with the Cooperative Cost Sharing Agreement between the District and BART. The District will be reimbursed a total of approximately \$719,000 for the design and construction of the pipeline that fronts the BART property. There are adequate funds in the Capital Improvement Program for FY 11/12 to cover the forecast construction expenditures. However, because the project has been accelerated, to meet the schedule requirements of the SFPUC Bay Division Pipeline Nos. 3 and 4 Seismic Upgrades Project, a budget transfer in the amount of \$180,000 is required to cover the anticipated construction expenditures through the end of FY 10/11. There are surplus FY 10/11 budgeted funds in the completed Newark Desalination Facility Expansion Project, which may be transferred to this project.

5.3* AUTHORIZATION OF PURCHASE ORDER AMENDMENT FOR ENGINEERING SERVICES FOR THE WARM SPRINGS MAIN EXTENSION PRUNE TO BROWN PROJECT

SUMMARY: The Board previously authorized a purchase order to Winzler & Kelly Consulting Engineers (Winzler & Kelly) for engineering design services for the Warm Springs Main Extension Prune to Brown Project. Additional engineering services for design changes and construction support are required. There is adequate funding in the budget for this expenditure.

RECOMMENDATION: By motion, authorize a purchase order amendment to Winzler & Kelly Consulting Engineers for additional engineering services in an amount not to exceed \$39,153 for the Warm Springs Main Extension Prune to Brown Project, Jobs 6477 and 6478.

DISCUSSION: On August 12, 2010, the Board authorized a purchase order to Winzler & Kelly in the amount of \$214,000 for engineering design services. One purchase order amendment in the amount of \$9,520 has been issued to date.

At the District's request, Winzler & Kelly revised the pipeline plan and profile drawings to accommodate the Bay Area Rapid Transit District's (BART) planned storm drain facility improvements along Warm Springs Boulevard. The design for the future BART Warm Springs Station is a work in progress. Winzler & Kelly submitted a proposal in the amount of \$7,050 for this extra work. Staff has evaluated Winzler & Kelly's request and found it to be fair and reasonable. The District will be reimbursed the entire cost of this design change in accordance with the terms of the Cooperative Cost Sharing Agreement between the District and BART.

Winzler & Kelly also submitted a cost proposal in the amount of \$32,103 for construction-related engineering services. The proposed scope of work includes submittal reviews; responses to requests for information from the contractor; preparation of design modifications or clarifications; site visits; and completion of project record drawings. Staff has reviewed this proposal and finds the scope of work and estimated level of effort appropriate for this project. The District will be reimbursed approximately \$4,878 by BART to cover their share of the construction support services.

5.4* AUTHORIZATION OF CHANGE ORDER NO. 1 AND RESOLUTION ACCEPTING COMPLETION FOR THE KATO ROAD GRADE SEPARATION MAIN REPLACEMENT PROGRAM

SUMMARY: The Board previously awarded a contract to J & M, Inc. to relocate a 12-inch and portions of an 18-inch steel pipeline to accommodate the City of Fremont (City) Kato Road Grade Separation Project. Change Order No. 1 has been prepared for additional required miscellaneous work. There is adequate funding in the budget for this expenditure. All work is now complete.

RECOMMENDATION: By motion, 1) approve Change Order No. 1 in the amount of \$11,310 to J & M, Inc. and 2) adopt a resolution accepting the completion of the Kato Road Grade Separation Main Replacement Project, Jobs 6431 and 6433.

DISCUSSION: On September 9, 2010, the Board awarded the construction contract for the Kato Road Grade Separation Main Replacement Project to J & M, Inc. in the amount of \$260,675. The scope of work includes the installation of approximately 194 linear feet of 12-inch steel pipe; 22 linear feet of 18-inch steel pipe; 35 linear feet of 8-inch and 73 linear feet of 6-inch steel pipe for two new fire hydrants; valves; piping appurtenances; and miscellaneous pipe abandonment work.

Change Order No. 1 in the amount of \$11,310 has been prepared to cover the following work requested by the District: 1) remove a section of 12-inch pipe not shown on the drawings (\$3,887); 2) offset a 6-inch fire hydrant lateral to avoid conflict with an existing electrical line (\$3,420); 3) install additional concrete thrust restraint (\$2,707); 4) replace a 12-inch gate valve (\$696); and 5) install a curb to protect a fire hydrant located in a planting strip berm (\$600). Staff has reviewed the costs associated with the additional work and has determined they are fair and reasonable for the work performed. The total construction cost, including this change order and quantity adjustments for unit price items, is \$273,080.

All costs associated with the design and construction of this project will be shared in accordance with the terms of an existing cost sharing agreement between the City and the District. The City will reimburse the District approximately \$166,578 (61%) for the work completed under this contract.

5.5 PUBLIC HEARING ON PROPOSED REPLENISHMENT ASSESSMENT FOR FY 11/12

SUMMARY: As provided in the District's Replenishment Assessment Act, a public hearing must be held on the second Tuesday in April for the purpose of determining whether, and to what extent, the cost of replenishing groundwater supplies within the District during FY 11/12 will be funded by a replenishment assessment.

RECOMMENDATION: By motion, conduct a public hearing as scheduled and receive comments from the public.

DISCUSSION: On November 18, 2010, the Board ordered the preparation of the 2011 Engineering Survey and Report on Groundwater Conditions (Survey Report) as provided in Section 7 of the District's Replenishment Assessment Act. On February 10, 2011, the Board: 1) received the completed report; 2) declared its intent to raise funds by a replenishment assessment in FY 11/12; and 3) scheduled a Public Hearing for April 12, 2011. On March 10, 2011, staff presented to the Board the report's findings and basis for the recommended replenishment assessment.

Notice of the time and place of the public hearing was published in The Argus newspaper, as required by the Replenishment Assessment Act. As required by Proposition 218, all affected well owners, operators, and owners of property with production wells were provided with 45 days prior written notice of the proposed 8% increase in the replenishment assessment rate. To date, no comments from the public have been received by the District.

At the hearing, all interested parties may be heard in support of, or opposition to, the proposed assessment, the Survey Report, or the Board's determinations. The hearing may be adjourned from time to time, but must be completed no later than the first Tuesday in May (May 3, 2011).

5.6 RESOLUTIONS SETTING THE REPLENISHMENT ASSESSMENT FOR FY 11/12

SUMMARY: In anticipation that comments received, if any, during the April 12, 2011, public hearing will not necessitate an additional Board meeting, staff has prepared the remaining three resolutions for setting the replenishment assessment for FY 11/12. Should the Board not adopt the resolutions on April 12, a special Board meeting would be required to meet the deadline stipulated in the Replenishment Assessment Act by the second Tuesday in May (May 10, 2011).

For setting the replenishment assessment for the coming fiscal year, the Replenishment Assessment Act specifies the actions that must be taken, through Board resolution, no sooner than the close of the public hearing, but no later than the second Tuesday of May. The resolutions: 1) contain the findings that update groundwater conditions, and state the amount of replenishment assessment funds needed next fiscal year; 2) set the replenishment assessment

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rates (\$8.00 per acre-foot for agricultural and municipal recreation uses, and \$256.00 per acre-foot for all other uses); and 3) provide procedures and statement forms.

RECOMMENDATION: By motion, adopt the resolutions required for the FY 11/12 Replenishment Assessment.

Attachments

cc: Executive Staff