

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 9/10/2013	(3) CONTACT/PHONE Michael Boyce, Resident Engineer (805) 781-5264	
(4) SUBJECT Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the Nacimiento Water Project's Intake Pipe Repair. All Districts.			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board acting as the San Luis Obispo County Flood Control and Water Conservation District (District): <ol style="list-style-type: none"> 1. Approve and execute the attached resolution, accepting the work for the Nacimiento Water Project's Intake Pipe Repair (No. 300187.08.06); and 2. Approve, execute, and authorize for recordation by the County Clerk Recorder's office the associated Notice of Completion for this construction contract. 			
(6) FUNDING SOURCE(S) N/A	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. ___) <input type="checkbox"/> Board Business (Time Est. ___)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>9/11/12, #14</u>	
(17) ADMINISTRATIVE OFFICE REVIEW <i>Nikki J. Schmidt</i>			
(18) SUPERVISOR DISTRICT(S) All Districts -			

Reference: 13SEP10-C-5

County of San Luis Obispo



TO: Board of Supervisors
FROM: Public Works
Michael Boyce, Resident Engineer
Scott Duffield, Project Manager
VIA: Dave Flynn, Deputy Director of Public Works
DATE: 9/10/2013

SUBJECT: Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of the Nacimiento Water Project's Intake Pipe Repair. All Districts.

RECOMMENDATION

It is our recommendation that your Honorable Board acting as the San Luis Obispo County Flood Control and Water Conservation District (District):

1. Approve and execute the attached resolution, accepting the work for the Nacimiento Water Project's Intake Pipe Repair (No. 300187.08.06); and
2. Approve, execute, and authorize for recordation by the County Clerk Recorder's office the associated Notice of Completion for this construction contract.

DISCUSSION

The Nacimiento Water Project (Project) consists of 45 miles of pipeline, with storage tanks, pump stations and appurtenant facilities (see attached Unit Map) for the purpose of conveying up to 15,750 acre feet of water from Lake Nacimiento to local water agencies within District boundaries. The Project entered into the Operations and Maintenance Phase on February 1, 2011.

On August 18, 2010, while construction work was being performed on the Project Intake Facilities, the intake pipe suffered a partial collapse.

Discussions ensued between the District and the Project design engineer, Black & Veatch Corporation (Designer), as to responsibility for the collapse and damages related thereto. As a result, Amendment No. 27 to the Agreement for Professional Engineering Services with the Designer (Amendment) was a settlement of any and all disputes between the District and the Designer arising out of the pipe collapse incident. The Amendment also provided for the repair and correction of the intake pipe damage through a no bid/zero (\$0.00) cost contract (Contract No. 300187.08.06) between the District and Overland Contracting, Inc. (OCI), a California-licensed engineering contractor that is a wholly-owned subsidiary of Black & Veatch Corporation. The Amendment and Contract No. 300187.08.06 were executed by your Board on September 11, 2012.

OCI has successfully completed Contract No. 300187.08.06.

OTHER AGENCY INVOLVEMENT/IMPACT

The Nacimiento Water Project delivers raw water to the City of Paso Robles, Templeton Community Services District, Atascadero Mutual Water Company, City of San Luis Obispo and County Service Area 10, Zone A, all of which have a vested interest in the operation of the Nacimiento Water distribution system. The Participants have representatives on the Nacimiento Water Technical Support Group and Nacimiento Water Commission.

The District coordinated the procurement of temporary construction easements, use of the District's existing easements, and work schedule with Monterey County Water Resources Agency (MCWRA). District staff also provided final oversight of the construction repairs and acceptance of the work.

County Counsel has reviewed the attached Resolution and Notice of Completion as to legal form and effect.

FINANCIAL CONSIDERATIONS

Contract No. 300187.08.06 was undertaken at no cost to the District. The District previously retained \$294,974.18 from payments due to the Designer, based on estimated costs to the District for support of the repair work. Now that the contract is complete the actual costs incurred by the District are \$250,162.10. The difference of \$44,812.08 will be released to the designer.

RESULTS

By taking the recommended actions, your Honorable Board will accept the work for the Nacimiento Water Project's Intake Pipe Repair, Contract No. 300187.08.06, and will cause the legal Notice of Completion for said Contract to be recorded.

c: Dave O'Halloran, Construction Engineer

File: NWP E.10.1

Reference: 13SEP10-C-5

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ATTACHMENTS

1. Vicinity Map
2. Resolution Authorizing Execution of Notice of Completion and Acceptance for the Construction of the Nacimiento Water Project's Intake Pipe Repair
3. Notice of Completion and Acceptance