

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

(1) DEPARTMENT Public Works	(2) MEETING DATE 3/24/2015	(3) CONTACT/PHONE Genaro Diaz, Project Manager (805) 781-5279	
(4) SUBJECT Request to: 1) authorize approval of Contract Change Order No. 7, supplement no. 2, to the Agreement with John Madonna Construction Co., in the amount of \$10,000; 2) approve additional construction contingency in the amount of \$50,000, and 3) direct the Director of Public Works, or his designee, to execute and process final Contract Change Order No. 7, supplement no. 2 for the Willow Road Oak Woodland Habitat Mitigation Project. District 4.			
(5) RECOMMENDED ACTION It is recommended that the Board: <ol style="list-style-type: none"> 1. Authorize Contract Change Order No. 7, supplement no. 2 , to the Agreement with John Madonna Construction Co., in the amount of \$10,000, for the Willow Road Oak Woodland Habitat Mitigation Project; and 2. Approve additional construction contingency in the amount of \$50,000; and 3. Direct the Director of Public Works, or his designee, to execute and process final Contract Change Order No. 7, supplement no. 2. 			
(6) FUNDING SOURCE(S) Prop 1B - SLPP, Nipomo South County Area 1 Road Impact Fees	(7) CURRENT YEAR FINANCIAL IMPACT \$50,000.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? Yes
(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 type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input checked="" type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) 19001514		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5 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: 3/19/13, #11	
(17) ADMINISTRATIVE OFFICE REVIEW			
(18) SUPERVISOR DISTRICT(S) District 4			

Reference: 15MAR24-C-6

County of San Luis Obispo



TO: Board of Supervisors
FROM: Public Works
Genaro Diaz, Project Manager
Jason Rath, Resident Engineer
VIA: Dave Flynn, Deputy Director of Public Works
DATE: 3/24/2015

SUBJECT: Request to: 1) authorize approval of Contract Change Order No. 7, supplement no. 2, to the Agreement with John Madonna Construction Co., in the amount of \$10,000; 2) approve additional construction contingency in the amount of \$50,000, and 3) direct the Director of Public Works, or his designee, to execute and process final Contract Change Order No. 7, supplement no. 2 for the Willow Road Oak Woodland Habitat Mitigation Project. District 4.

RECOMMENDATION

It is recommended that the Board:

1. Authorize Contract Change Order No. 7, supplement no. 2 , to the Agreement with John Madonna Construction Co., in the amount of \$10,000, for the Willow Road Oak Woodland Habitat Mitigation Project; and
2. Approve additional construction contingency in the amount of \$50,000; and
3. Direct the Director of Public Works, or his designee, to execute and process final Contract Change Order No. 7, supplement no. 2.

DISCUSSION

This project implements the mitigation for loss of oak woodlands as a result of the Willow Road 101 Interchange project construction. On March 19, 2013, the Board awarded the subject contract to John Madonna Construction Co. in the amount of \$548,468.75, for the Oak Woodland Habitat Mitigation project in Nipomo. The project approval also established a contingency and supplemental work budget of \$69,850. The construction and contingency resulted in a total project cost of \$618,318.75.

The contractor has planted, is protecting and has established irrigation for approximately 3,800 native oak acorns over a 22 acre area adjacent to the Dana Adobe in Nipomo. The contract also requires the contractor to maintain the site for a three-year plant establishment period. The project is expected to achieve at least an 80% survival rate. The contract also installs fencing for the mitigation sites to prevent livestock encroachment.

During construction of the improvements, unforeseen conditions have required revisions to the contract plans. In particular, the existing County provided on-site well, which is the source of water for the project's irrigation system, had multiple pump failures due to lower than expected groundwater levels and the condition of the well casing. Necessary reconfigurations resulted in equipment replacement and repairs, additional work by the Contractor, and additional County staff time. As a result, additional costs will be incurred.

Under Public Contract Code Section 20142 and based on the size of the contract award amount, it is required for the Board to approve change orders when they exceed an aggregate total of \$39,923.43. The total cost for Change Order Nos. 1-6 is \$11,670.56. The estimated total cost for Contract Change Order No. 7, including supplemental no. 1 and 2 to Change Order No. 7, is \$54,864.45. Contract Change Order Nos. 1-7, including supplement no. 1 to Contract Change Order No. 7, have already been approved under authority of the Director of Public Works and issued for construction. Supplement no. 2 to Contract Change Order No. 7 will exceed change order authority and therefore requires approval from the Board.

Aggregate costs for Contract Change Orders (CCO) are described below:

CCO No.	Description	Estimated Cost
CCO 1	Grant 30 days for specialty pump procurement	\$0.00
CCO 2	Update existing well pumping system to be able to communicate with irrigation system	\$1,206.99
CCO 3	Repair freeze damages on irrigation system	\$2,466.28
CCO 4	Grant 36 days for oak acorn delay	\$0.00
CCO 5	Additional pipe required due to elevation changes not accounted for due to terrain	\$1,596.84
CCO 6	Install filter to water storage tank preventing sediment and rocks from entering irrigation system	\$6,400.45
CCO 7 w/ sup no. 1&2	Inspect, repair, & flush irrigation system, including diagnose and repair well pump issues and water delivery	\$54,864.45
TOTAL		\$66,535.01

In addition to Board approval of change order authority, an increase in the construction contingency will be required. The contingency for the project is not adequate to cover these additional costs and it is expected that the construction contingency will need to be supplemented by \$50,000 to address any additional unforeseen conditions for the required plant establishment period over the next two years. The additional \$50,000 requested construction contingency will supplement the existing \$69,850 for a revised total construction contract of \$668,318.75.

OTHER AGENCY INVOLVEMENT/IMPACT

As part of the Willow Road Interchange project development, this project was supported by South County Advisory Council, SLOCOG, Caltrans, State Water Resources Control Board, Agricultural Commissioner, Air Pollution Control District, State Historical Preservation Office, California Department of Fish and Game, Army Corps of Engineers, Nipomo Community Services District, General Service's property management division, Nipomo Community, AT&T, ConocoPhillips, PG&E, The Land Conservancy of San Luis Obispo County and the Rancho Nipomo Dana Adobe.

FINANCIAL CONSIDERATIONS

This is a multi-year project budgeted in the Road Fund FY 2014/15 at \$850,000. The estimated project costs, including Change Order Nos. 1-7 and the additional construction contingency is \$835,454. Funding for this project is from the South County Road Improvement Fee Account – Area 1 and Prop 1B State-Local Partnership Program (SLPP). No budget adjustment is necessary at this time.

Please see Exhibit “A” for an estimated cost breakdown of the project.

RESULTS

Approval of the recommended actions authorizes the implementation and payment for the recommended improvements repairs, to conform to state statues. Completion of the required work will result in a safer, more livable community.

File: 300129.09.04

Reference: 15MAR24-C-6

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ATTACHMENTS

1. Vicinity Map
2. Exhibit A – Project Cost Estimates
3. Change Order No. 7, Supplement No. 2