

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

|   |  |  |                      |
|---|--|--|----------------------|
| (1) DEPARTMENT<br>Public Works  | (2) MEETING DATE<br>12/8/2015                    | (3) CONTACT/PHONE<br>Richard Kopecky, Senior Capital Projects Coordinator<br>(805) 781-5222  |                      |
| (4) SUBJECT<br>Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of Parks – Cayucos – Restore Cayucos Pier; and request approval of Contract Change Order No. 5 in the amount of \$46,187. District 2.  |  |  |                      |
| (5) RECOMMENDED ACTION<br>It is recommended that the Board:<br>1. Adopt the attached resolution, which authorizes the execution of a notice of completion and acceptance of the Construction of Parks – Cayucos – Restore Cayucos Pier. (Contract No. 320060); and<br>2. Approve the attached Contract Change Order No. 5, in the amount of \$46,187.55 and instruct the Public Works Director, or his designee, to process the change order for payment to the contractor. |  |  |                      |
| (6) FUNDING SOURCE(S)<br>Save Cayucos Pier Committee and Project Savings  | (7) CURRENT YEAR FINANCIAL IMPACT<br>\$46,187.55 | (8) ANNUAL FINANCIAL IMPACT<br>\$0.00  | (9) BUDGETED?<br>Yes |
| (10) AGENDA PLACEMENT<br><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<br><input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A  |  |  |                      |
| (12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR)<br>N/A  |  | (13) BUDGET ADJUSTMENT REQUIRED?<br>BAR ID Number: N/A<br><input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A |                      |
| (14) LOCATION MAP<br>Attached   | (15) BUSINESS IMPACT STATEMENT?<br>No            | (16) AGENDA ITEM HISTORY<br><input type="checkbox"/> N/A    Date: 9/16/14, #12   |                      |
| (17) ADMINISTRATIVE OFFICE REVIEW<br>David E. Grim  |  |  |                      |
| (18) SUPERVISOR DISTRICT(S)<br>District 2   |  |  |                      |

Reference: 15DEC085-C-12

# County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works

Richard Kopecky, Senior Capital Projects Coordinator

VIA: Jeff Lee, Capital Planning Manager

DATE: 12/8/2015

SUBJECT: Submittal of a resolution authorizing execution of notice of completion and acceptance for the construction of Parks - Cayucos – Restore Cayucos Pier; and request approval of Contract Change Order No. 5 in the amount of \$46,187. District 2.

## **RECOMMENDATION**

It is recommended that the Board:

1. Adopt the attached resolution, which authorizes the execution of a notice of completion and acceptance of the Construction of Parks – Cayucos – Restore Cayucos Pier. (Contract No. 320060); and
2. Approve the attached Contract Change Order No. 5, in the amount of \$46,187.55 and instruct the Public Works Director, or his designee, to process the change order for payment to the contractor.

## **DISCUSSION**

The Cayucos Pier is a 982' long timber pier originally constructed in 1872. Since 1945, by written agreement with California Department of Parks and Recreation, the County has accepted all maintenance and repair responsibilities for the Cayucos Pier. In recent years the pier had fallen into disrepair and been damaged by sea action.

The contract was awarded to Associated Pacific Constructors, Inc. on September 16, 2014 in the amount of \$1,700,773.00 and was constructed within the allowable working days.

The following provides a brief history of events concerning the pier:

- Between 2010 and 2012, several weather and surf events degrade the Cayucos Pier and engineering studies were conducted to determine safety;
- July 2013, approximately one-half of the Cayucos Pier was closed to the public due to structural concerns resulting from missing or severely deteriorated piles, pile caps, and cross-bracing;
- July 2013 – November 2013, an above/below-water structural assessment was prepared; environmental permits granted; construction funding secured; and bid documents to stabilize the pier were completed;

- December 2013 – January 2014, interim construction to stabilize the pier during winter months occurred;
- May 2014, the Board authorized public bidding for construction services to restore the pier;
- September 2014, Associated Pacific Construction, Inc. was awarded the construction contract to restore the pier;
- October 2014 – October 2015, restoration work on the Cayucos Pier;
- October 2015, a Notice of Substantial Completion of construction was issued to the contractor.

### Change Order Limit Increase Request

Based on Public Contract Code Section 20142, the current change order limit for the project is \$110,038.65. The limit is calculated as follows: 5% of the original contract amount (\$1,700,773) plus \$25,000. To date, the approved change order Nos. 1-4 for the project total \$109,489.35.

Due to additional construction services that were required near the end of the project, Public Works requests approval of Change Order No. 5, in the amount of \$46,187.55. An exhibit of the change order is attached.

The additional construction services included in Change Order No. 5 are as follows:

- Relocation of the dry fire line to the outboard side of the pier safety railing;
- Additional electrical conduit expansion joints, pier lighting dimmers, bird spikes on the pier light poles; and
- Additional temporary chain link fencing, to increase the secured storage area required for the pier piles.

The Cayucos Save the Pier organization recently pledged an additional \$30,000 to the County, to mitigate the change order costs for the dry fire line. In addition, the County successfully transferred the surplus pier piles that remained at the end of construction. After the \$30,000 pledge and the payment for the surplus piles are received by the County, approximately \$80,000 will be credited back into the project account.

The pier was reopened to the public on October 31, 2015 at a community celebration.

### **OTHER AGENCY INVOLVEMENT/IMPACT**

The San Luis Obispo County Parks and Recreation Commission (PRC) placed the Cayucos Pier Restoration project on its Park Priority Projects list. On June 26, 2014 the PRC recommended the Board of Supervisors authorize the application for and acceptance of grant and local funding sources for the Cayucos Pier Restoration project.

Several County departments were actively involved in the project, including: County Administrative Office, Community Development Department, Auditor-Controller-Treasurer-Tax Collector, Environmental Health Department, and Parks Department.

The project received approval from numerous State and Federal agencies including: United States Army Corps of Engineers, California Environmental Protection Agency, California Department of Parks and Recreation, California State Lands Commission, Regional Water Quality Control Board, Air Pollution Control District, and California Coastal Commission.

## **FINANCIAL CONSIDERATIONS**

This was a multiyear project with multiple funding sources. The list includes pending revenue from the Cayucos Save the Pier organization towards the fire line revisions. The table below summarizes the pier construction.

| <b>Funding Sources</b>                 |                        |
|--|------------------------|
| Parks Operating Fund                   | \$ 1,713,000.00        |
| California Wildlife Conservation board | \$ 750,000.00          |
| Save Cayucos Pier Committee            | \$ 105,000.00          |
| Save Cayucos Pier Committee (lighting) | \$ 130,000.00          |
| California Coastal Conservancy         | \$ 750,000.00          |
| <b>Total Approved Project Funding</b>  | <b>\$ 4,048,000.00</b> |
| Save Cayucos Pier Committee-Pending    | \$ 30,000.00           |
| <b>Total Funding</b>                   | <b>\$ 4,078,000.00</b> |

The attached Exhibit "A" shows the project expenditures through October. Fund balance is sufficient to cover the expense of contract change order No. 5 and no budget adjustment is required.

A final report of actual project costs will be filed with the clerk after any and all claims, disputes and adjustments have been resolved. We do not anticipate the final project cost to differ materially from the current estimated total. Five percent (5%) of total contractor payments are held by the County and released only after meeting the legal holding period after the Notice of Completion is filed.

By taking the recommended action, your Board will cause the legal notice of completion for this construction contract to be recorded, and start the period of time during which liens can be filed by subcontractors against the prime contractor.

## **RESULTS**

The results of the recommended action will be the completion of a community project that will contribute to a safe, well-governed and livable community.

## **ATTACHMENTS**

1. Vicinity Map
2. Exhibit A – Project Cost Estimates
3. Contract Change Order No. 5
4. Resolution Authorizing Execution of Notice of Completion and Acceptance for the Parks – Cayucos – Restore Cayucos Pier
5. Notice of Completion and Acceptance

File: Contract No. 320060

Reference: 15DEC08-C-12

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