

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: April 5, 2021

Reviewed by: NA

SUBJECT: CIP Project No. 32000 – 2020 Sanitary Sewer Rehabilitation Project – Phase B Closeout (Contract No. C20-46) and Filing of Notice of Completion

REPORT BY: Allison Carrillo, Associate Engineer
Jeff Bond, Acting Public Works Director

SUMMARY

Construction of the 2020 Sanitary Sewer Rehabilitation Project-Phase B (Contract No. C20-46) is complete. Staff recommends that the Council authorize the City Manager to approve the final contract change order, to accept the improvements and file the Notice of Completion.

STAFF RECOMMENDATION

That the Council adopt Resolution No. 2021-30, authorizing the City Manager to approve the final contract change order, to accept the improvements completed in Contract No. C20-46 (2020 Sanitary Sewer Rehabilitation Project-Phase B) and file the Notice of Completion with the County Recorder's Office.

BACKGROUND

On May 18, 2020, Council awarded Contract No. C20-46 to Bay Pacific Pipelines, Incorporated (Contractor) in the amount of \$2,173,736 to construct the 2020 Sanitary Sewer Rehabilitation Project-Phase B (Resolution No. 2018-78) along Marin Avenue (Cornell Avenue to Curtis Avenue) and within easements located in the UC Berkeley Gill Tract and Oceanview Elementary School. The project is part of the Capital Improvement Plan, the Sewer Master Plan, and is mandated by the Environmental Protection Agency Consent Decree

The contractor started the project on June 24, 2020 and has since completed the work. The work was performed in compliance with the Alameda County Public Health Department Order 20-10 requiring construction projects to follow specific Construction Project Safety Protocols included in the Order. The jobsite was visually inspected by a third-party COVID-19 Jobsite Safety Accountability Supervisor and found the project safety protocol to be in compliance.

The completed work includes the following:

- Rehabilitation/replacement of 5,146 feet of existing 8”, 12”, 15”, 16”, 18” and 20” sanitary sewer main;
- Replacement of 9 sanitary sewer manholes and rehabilitation of 11 existing manholes;
- Rehabilitation of 1,235 linear feet of existing lower laterals at various locations.

DISCUSSION

The contractor (Bay Pacific Pipelines Inc.) started the project in June 2020. Sewer rehabilitation work started on sewer main located along Marin Avenue between Cornell Avenue and Curtis Avenue. Subsequently, the downstream section of the Marin Avenue sewer main was also rehabilitated from San Pablo Avenue through the University of California’s Gill Tract Farm, through Ocean View Elementary School (currently under construction), and through the Ocean View Park sports field and terminating at the Ocean View Park parking lot.

During construction, field conditions of sewer pipelines were found to be different from those shown in the contract plans and record drawings. These conditions include concrete around the sewer pipe under San Pablo Avenue, and presence of an unknown 6” water main (which was unintentionally damaged by the contractor) next to a sewer manhole in the median island of the USDA main entrance. Based on the designer’s recommendation, staff directed the contractor to remove from the contract the rehabilitation of 100’ of 16” sewer main crossing San Pablo Avenue, and approximately 120’ of 20” sewer main from Ocean View Park to the USDA main gate. These segments of the sewer main will be redesigned and included in a future rehabilitation project.

Furthermore, the contractor encountered extra work caused by ongoing construction of the Ocean View Elementary School. Due to conflicts with school construction operations and to avoid safety problems, staff directed the contractor to work during weekends when school construction was inactive and/or minimal. The contractor also performed other extra work including replacement of broken water line and storm drainage pipe, and installation of drop connection and pipe reducer.

To quantify the various contract changes, a final contract change order is included in this report requesting the Council to authorize the City Manager to approve said change order. The change order documents the terms for closing out the project including settlement of all outstanding issues, claims, and request for equitable adjustment; compensates the Contractor for extra work items that were not in the contract documents; and provides credits to the City for items that were deleted from the contract documents or were performed by the City. These include credits for a small tree not replaced by the contractor and repair of the Ocean View Park sports field turf damaged by the contractor. Staff hired a landscape contractor to restore the damaged turf prior to reopening the field for public use; the change order includes credits for the restoration work.

The original Contract No. C20-46 was awarded in the amount of \$2,173,736. The final contract change order is a reduction of \$97,110 due mostly to a decrease in sewer pipeline rehabilitation mentioned above. The revised contract price is \$2,076,626. See Attachment 3 for final contract change order.

Additional project construction costs which are outside the scope of this final change order can be found in Exhibit A. These costs include expenses incurred by the Albany Unified School District contractor to support and accommodate sewer work during ongoing construction at Oceanview Elementary School, construction management, materials testing, and general project administrative costs.

The project is now complete, and a Notice of Completion is required to be filed with the County Recorder’s office.

SUSTAINABILITY

The rehabilitation of sanitary sewer mains and laterals prevents sanitary sewer overflows (SSOs). SSOs can reach storm drains and the bay causing unhealthy bacteria and pollutant levels. Preventing SSOs is a requirement of the Consent Decree.

FINANCIAL SUMMARY

The budget for the City’s Sanitary Sewer Rehabilitation Program (CIP 32000) was appropriated by Council as part of the City’s Capital Improvement Plan as adopted in November 2020 (Resolution No. 2020-108).

The following table details the approved budget for the 2020 Sanitary Sewer Rehabilitation Project – Phase B.

Project Budget	Resolution No.	Amount
2020 SSRP-Phase B	2020-41	\$2,173,736
Contract CCO 1	2021-30	-\$97,110
Total Budget		\$2,076,626

Exhibit A presents a Statement of Final Accounting for the project.

As of March 26, 2021, the City has spent or encumbered approximately \$8.5 million of the \$13.3 million budget appropriated for the program for fiscal years 2019/20 through 2021/22.

Attachments:

1. Resolution No. 2021-30
2. Exhibit A to Resolution No. 2021-30 – Statement of Final Accounting
3. Exhibit B to Resolution No. 2021-30 – Final Contract Change Order #1
4. Notice of Completion

1 from previously appropriated funds for the Annual Sewer Rehabilitation Project (CIP
2 #32000).

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4 **BE IT FURTHER RESOLVED**, that the Albany City Council authorizes the City
5 Manager to accept the improvements completed in the Contract No. C20-46 (2020 Sanitary
6 Sewer Rehabilitation Project – Phase B) and file the Notice of Completion with the County
7 Recorder’s Office.

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10 _____
11 GE’NELL GARY, MAYOR

12 **Attachments:**

- 13 1. Exhibit A – Statement of Final Accounting
14 2. Exhibit B – Final Contract Change Order #1
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**EXHIBIT A
STATEMENT OF FINAL ACCOUNTING
2020 SANITARY SEWER REHABILITATION PROJECT-PHASE B
(CIP #32000)**

Approved Project Budget

- Fund 4002 – Sewer Capital Projects: **\$2,861,336**

Project Expenses

- Professional Services (CM/Inspection/Admin) \$305,893

- Construction – Bay Pacific Pipelines Inc. (Contract No. C20-46)
 - Original Contract: \$2,173,736
 - Contract Change Order #1 -\$97,110
 - Contract Not-to-Exceed Total: \$2,076,626

- Final Contract Cost: \$2,076,626

- AUSD \$25,000

Total Project Cost: \$2,407,519

Remaining Project Budget: \$453,817

CITY OF ALBANY
PUBLIC WORKS DEPARTMENT
1000 SAN PABLO AVENUE
ALBANY, CA 94706

FINAL CLOSE-OUT CHANGE ORDER (#1)

CONTRACT: 2018 Sanitary Sewer Rehabilitation Project
Contract No. C18-10

Page 1 of 4
March 8, 2021

CONTRACTOR: Bay Pacific Pipelines, Inc.
214 Pacheco Avenue, Novato, CA 94947

DESCRIPTION OF WORK AND REASON FOR CHANGE

This change order documents the terms for closing out the project which includes the following: settlement of all outstanding issues, claims, request for equitable adjustment, non-compensable final time extension, compensates the Contractor for extra work that were not in the contract documents and provides credits to the City for items that were deleted from the contract documents or were performed by the City. This change order shall constitute the full and final settlement of any and all change order requests, requests for compensation, unilateral change orders, allowance change orders, or any other claim that the Contractor may have against the City arising out of the Project, whether known or unknown, anticipated or unanticipated or suspected to exist as of the date of execution of this change order. See pages 2-4 for final cost adjustments.

Net Total Decrease in Contract Amount: \$97,110.00

We, the undersigned contractor, have given careful consideration to the contract change(s) and hereby agree, if this proposal is approved, that we will provide all equipment, furnish all materials, except as may otherwise be noted above, and perform all services necessary for the work above specified, and will accept as full payment therefore the prices shown above.

By reason of this change the contract completion time will be extended by 0 working days from the commencement date given in the Notice to Proceed with Change Order work.

Contractor:

Date Accepted: 3/15/2021

By: 
Eugene Carew, Vice President

STATEMENT OF ACCOUNT

Original Contract Price	\$2,173,736.00
Previous Change Orders	\$0.00
Total to date	\$2,173,736.00
This Change Order	-\$97,110.00
Revised Contract Price	\$2,076,626.00
Contract Price Change	- 4.5%

City of Albany:

Date Approved: _____

By: _____
Nicole Almaguer, City Manager

NOTE: This change order is not effective until approved by the City Manager

COST OF CHANGE: These are the close-out increases and/or decreases items of contract work and final payment as follows:

CONTRACTOR:
BAY PACIFIC PIPELINES, INC.
 P.O. Box 1162 Novato, CA 94948

PROJECT:

2020 Sanitary Sewer Rehabilitation Project- Phase B, Contract C20-46

ITEM	ITEM DESCRIPTION	UNIT	CONTRACT ESTIMATE QTY	CONTRACT UNIT PRICE	EXTENSION	FINAL QUANTITIES	FINAL CONTRACT QUANTITY ADJUSTMENTS	PRICE ADJUSTMENTS
A. BASE CONTRACT								
1	MOBILIZATION, DEMOBILIZATION, WPCP	LS	1	\$50,000.00	\$50,000	1.00	0	\$0
2	20" HDPE SEWER MAIN - PIPE BURST	LF	191	\$325.00	\$62,075	70.00	-121	-\$39,325
3	18" HDPE SEWER MAIN - PIPE BURST	LF	902	\$293.150	\$293,150	912.00	10	\$3,250
4	16" HDPE SEWER MAIN - PIPE BURST	LF	856	\$300.00	\$256,800	756.00	-100	-\$30,000
5	12" HDPE SEWER MAIN - PIPE BURST	LF	2862	\$300.00	\$858,600	2862.00	0	\$0
6	20" PVC/HDPE SEWER MAIN - OPEN CUT	LF	29	\$400.00	\$11,600	20.00	-9	-\$3,600
7	15" PVC - OPEN CUT	LF	501	\$300.00	\$150,300	500.00	-1	-\$300
8	8" PVC - OPEN CUT	LF	26	\$400.00	\$10,400	26.00	0	\$0
9	FIELD LOCATE BURIED MANHOLES AND RODHOLES	EA	1	\$1,000.00	\$1,000	1.00	0	\$0
10	ABANDON SEWER LINE AND FILL WITH GROUT	LF	71	\$10.00	\$710	45.00	-26	-\$260
11	REMOVE EXISTING MANHOLE	EA	13	\$300.00	\$3,900	5.00	-8	-\$2,400
12	ABANDON EXISTING MANHOLE	EA	2	\$300.00	\$600	3.00	1	\$300
13	STANDARD 4' MANHOLE	EA	14	\$5,000.00	\$70,000	9.00	-5	-\$25,000
14	REHABILITATE EXISTING MANHOLES	VE	114	\$100.00	\$11,350	131.80	18.3	\$1,830
15	CONNECT TO E.MHS, REBUILD CHANNELS, PATCH	EA	13	\$1,200.00	\$15,600	16.00	3	\$3,600
16	REPLACE MANHOLE FRAME AND COVER	EA	13	\$1,000.00	\$13,000	10.00	-3	-\$3,000
17	FIELD LOCATE AND POHOLE EXISTING LATERALS	EA	63	\$50.00	\$3,150	52.00	-11	-\$550
18	6" LOWER LATERAL, FTGS AND CONNS (PB)	LF	20	\$75.00	\$1,500	0.00	-20	-\$1,500
19	6" LATERAL CLEANOUT, CAP AND CLEANOUT BOX	EA	2	\$250.00	\$500	0.00	-2	-\$500
20	4" LOWER LATERAL, FTGS AND CONNS (PB)	LF	1650	\$75.00	\$123,750	1059.00	-591	-\$44,325
21	4" LOWER LATERAL, FTGS AND CONNS (OPEN CUT)	LF	60	\$100.00	\$6,000	176.00	116	\$11,600
22	4" LATERAL CLEANOUT, CAP AND CLEANOUT BOX	EA	45	\$250.00	\$11,250	22.00	-23	-\$5,750
23	4" LATERAL RECONNECTION TO SEWER MAIN	EA	9	\$250.00	\$2,250	10.00	1	\$250
24	6" LATERAL RECONNECTION TO SEWER MAIN	EA	3	\$300.00	\$900	0.00	-3	-\$900
25	CURB AND GUTTER REPLACEMENT	LF	150	\$40.00	\$6,000	25.50	-124.5	-\$4,980
26	CONCRETE SIDEWALK AND DRIVEWAY REPL	SF	800	\$40.00	\$32,000	406.00	-394	-\$15,760
27	AC REPAIR AND PAVEMENT MARKINGS	SF	6061	\$5.00	\$30,305	6909.50	848.5	\$4,243
28	SHORING FOR ALL EXCAVATIONS	LS	1	\$10,000.00	\$10,000	1.00	0	\$0
29	TRAFFIC CONTROL AND NOTIFICATIONS	LS	1	\$15,000.00	\$15,000	1.00	0	\$0
30	PERMITS AND LICENSES	LS	1	\$5,000.00	\$5,000	1.00	0	\$0
31	INTERNAL TELEVISIONING OF SEWER MAINS	LF	10682	\$3.00	\$32,046	10682.00	0	\$0
32	AIR TESTING OF MANHOLES AND SEWER PIPES	LS	1	\$25,000.00	\$25,000	1.00	0	\$0
33a	SUPPLEMENTAL WORK (SEE EXTRA WORK SUMMARY)					60000.00	0	\$0
33b	SUPPLEMENTAL WORK Over and above \$60K	Allowance	1	\$60,000.00	\$60,000	69242.22	0	\$0
SUBTOTALS, BASE CONTRACT					\$2,173,736.00			-\$83,835
PRICE ADJUSTMENT OF BASE CONTRACT								
CREDITS								
34	BPP's share of turf restoration at Ocean View Park							-\$13,125
35	Credit for Tree Replacement							-\$150
TOTAL PRICE ADJUSTMENT:								-\$97,110

**2020 CITY OF ALBANY SANITARY SEWER REHABILITATION PROJECT-PHASE B
CONTRACT C20-46**

EXTRA WORK SUMMARY

Extra Work Number	Date	Description	Amount
8010-1	07/10/20	Change size of reducer to 12x15 at Sta 1+00, MH #37, install 12x15 reducer....	2,137.45
8010-7	08/26/20	Chip manhole base at manhole #11-000-08....	2,038.26
8010-9	08/28/20	Hand dig insertion pit at Oceanview field to avoid unmarked utilities....	1,656.65
8010-10	08/29/20	Hit unmarked 8" water main at USDA. Replace 7ft of pipe and stop work. Sta 0+05, MH 11-000-07. PB equipment rental charge...	15,769.36
8010-11	09/01/20	Water quality testing at USDA facility	2,146.83
8010-12	09/02/20	Locate utilities at USDA and UCB properties. ...	3,465.92
8010-13	09/04/20	OT premium for work at Oceanview School (Fri). Dug insertion pit at MH# 11....	515.17
8010-14	09/05/20	OT premium for work at Oceanview School (Sat)...	1,993.47
8010-15	09/08/20	Break bottom of MH-17 (to be abandoned per CCO1) ...	2,001.46
8010-16	09/12/20	OT premium for work at Oceanview School (Sat)...	2,565.21
8010-17	09/12/20	Fuse 18" electrofusion coupling due to having to move MH-11 to avoid SD conflict. ...	3,364.08
8010-18	09/13/20	OT premium for work at Oceanview School (Sun)...	2,607.35
8010-19	09/13/20	Extra time to compact to 95% from 90%....	4,307.85
8010-20	09/13/20	Repair/ Replace damaged 18" SD at Oceanview School at insertion pit, not shown on plans....	4,578.47
8010-21	09/15/20	Change bursting head on PB equipment. PB equipment rental charge...	3,443.25
8010-22	09/19/20	Premium on OT for work at Oceanview School (Sat)...	2,432.23
8010-23	09/19/20	Extra time to compact to 95% from 90%. Backfill MH-11 and trench. ...	1,122.72
8010-24	09/20/20	Premium on OT for work at Oceanview School (Sun)...	2,133.95
8010-25	09/20/20	Extra time to compact to 95% from 90%. Backfill two receiving pits and MH-12....	2,920.28
8010-26	09/21/20	Change bursting head on pipebursting equipment from 18" to 20". PB equipment rental charge....	4,671.57

**2020 CITY OF ALBANY SANITARY SEWER REHABILITATION PROJECT-PHASE B
CONTRACT C20-46**

EXTRA WORK SUMMARY (CONTINUED)

8010-29	09/29/20	Provide and install drop connection at MH-13....	10,017.22
8010-30	09/30/20	Continue installation of drop at MH-13. Repair 12" SD pipe....	3,824.50
8010-32	10/03/20	Premium OT for work at Oceanview School (Sat)...	959.52
8010-33	10/05/20	Night work at San Pablo- Dug excavation pit at MH-18 and encountered 12" VCP encased in concrete. PB equipment rental charge...	12,234.93
8010-34	10/07/20	Backfill excavation pit at MH-18 on San Pablo. (Pipebursting work cancelled)....	6,724.59
8010-35	10/07/20	Locate 12" VCP....	2,628.09
8010-36	10/09/20	Take HDPE pipe to P&F to fuse 16x14 reducer....	2,031.60
8010-37	10/12/20	Pave excavation pit on San Pablo at MH-18....	4,030.34
8010-38	10/12/20	Install 16x14 reducer at Sta 19+20. PB equipment rental charge...	8,782.28
8010-40	10/19/20	Restore USDA island- backfill....	2,297.50
8010-41	10/21/20	Continue restoration at USDA island- surface prep. ...	1,178.64
8010-42	10/21/20	Prep and move extra 20" and 16" pipe to yard. Replace manhole frame & cover. Place top soil at USDA....	1,856.55
8010-43	10/23/20	USDA restoration- plant tree and sod....	4,255.77
8010-44	10/26/20	Plant sod at USDA....	685.97
8010-45	09/04/20	Delay due to Overaa refusing to unlock the entrance gate....	1,863.17
			TOTAL: \$ 129,242.22

Recorded at the request of:
CITY OF ALBANY

When Recorded, Mail to:
City Clerk
City of Albany
1000 San Pablo Avenue
Albany, CA 94706

(Space Above for Recorder's Use)

NOTICE OF COMPLETION AND ACCEPTANCE OF PUBLIC WORK

Notice is hereby given by the City of Albany, a municipal corporation, located in Alameda County, State of California, with its principal offices at City Hall, 1000 San Pablo Avenue, Albany, CA 94706, of the following:

That it has caused the construction and installation of the following described public work upon the following described real property; and the furnishing of all labor, materials, methods or processes, implements, tools, machinery, equipment, transportation, and services necessary to accomplish same, to wit:

Contract No. C20-46, 2020 Sanitary Sewer Rehabilitation Project-Phase B including but not limited to removal and replacement of existing 8", 12", 15", 16", 18" and 20" sanitary sewer main, installation and rehabilitation of sanitary sewer manholes, rehabilitation of existing lower laterals at various locations, and reconnection of service laterals to rehabilitated sewer main.

That the said City of Albany is in possession of said real property and owns a fee simple estate or an easement for public use therein.

That said work was done in accordance with plans and specifications therefore approved and adopted by said City of Albany, and said work was done pursuant to a public works contract dated May 18, 2020, duly awarded by said City of Albany to Bay Pacific Pipelines, Inc., 214 Pacheco Avenue, Novato, CA 94947, and was accepted by the City Council of the City of Albany as complete on April 5, 2021.

That the undersigned certifies that he is authorized to and does make this verification on behalf of the City of Albany; that he has read the foregoing notice and knows the contents thereof; and that the undersigned declares under penalty of perjury that the foregoing is true and correct to the best of her knowledge.

Executed on _____, at Albany, California.

CITY OF ALBANY
A Municipal Corporation

By: _____

Jeff Bond
Acting Public Works Director
City of Albany