



Santa Clara Valley Water District

File No.: 20-0633

Agenda Date: 7/28/2020

Item No.: *6.2.

SUPPLEMENTAL BOARD AGENDA MEMORANDUM

SUBJECT:

Approve an Increase to the Construction Contract Contingency Sum and Notice of Completion of Contract and Acceptance of Work for the Lower Berryessa Creek Flood Protection Project Phase 2, (Construction Phase - Stage 1), Brosamer & Wall, Inc., Contractor, Project No. 40174005, Contract No. C0614 (Milpitas) (District 3).

REASON FOR SUPPLEMENTAL MEMORANDUM:

This report conveys additional information received after the initial report was released, consistent with Executive Limitations Policy EL-7-10-5.

RECOMMENDATION:

- A. Approve an increase of \$187,841.27 to the construction contract contingency sum for the Lower Berryessa Creek Flood Protection Project Phase 2, (Construction Phase - Stage 1), Brosamer & Wall, Inc., Contractor, Project No. 40174005, Contract No. C0614;
- B. Accept the work as complete; and
- C. Direct the Clerk of the Board to sign the Notice of Completion of Contract and Acceptance of Work and submit for recording to the Santa Clara County Clerk-Recorder.

SUMMARY:

The Construction Contractor, Brosamer & Wall, Inc., has completed the Construction Phase (Stage 1) for the Lower Berryessa Creek Flood Protection Project Phase 2 (Project). Approval of the Contractor's as-built documentation was delayed because of slight deficiencies regarding elevation of levee surface, which impacted issuing final Project acceptance documents by staff. The Contractor acknowledged the deficiencies and agreed to complete the corrective work no later than July 24, 2020. Completion of the work will be confirmed by Valley Water staff prior to recommending Project acceptance by the Board and disbursement of final payment to the Contractor. Attached are updated Project completion documents issued by staff.

FINANCIAL IMPACT:

There are sufficient funds available in the FY 2021 Project 40174005 Lower Berryessa Creek Phase 2 budget to increase the construction contract contingency by \$187,841.27 to a total contingency of \$6,018,496.27, which is approximately 15.5 percent (15.5%) of the original contract. Approving this increase will result in a total Project construction cost increase from \$44,707,205 to \$44,895,046.27. The funding sources for the Project are the Watershed Stream Stewardship Fund and a \$25 million grant from the Department of Water Resources Proposition 1E; the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006.

CEQA:

The recommended action does not constitute a project under CEQA because it does not have the potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Construction Contract Acceptance

Attachment 2: Project Completion Letter

UNCLASSIFIED MANAGER:

Ngoc Nguyen, 408-630-2632