



Santa Clara Valley Water District

File No.: 17-0619

Agenda Date: 10/10/2017

Item No.: 3.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Notice of Completion of Contract and Acceptance of Work for the John D. Morgan Park Monitoring Wells Project, Cascade Drilling, L.P., Contractor, Project No. 91304001, Contract No. C0622 (Campbell) (District 4).

RECOMMENDATION:

- A. Accept the work as complete; and
- B. 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, Cascade Drilling, L.P., has completed the John D. Morgan Park Monitoring Wells Project (Project). The construction contract was awarded in the amount of \$593,640 and the final contract amount is \$596,331. Subject to any withholds required by law or the contract, acceptance of the work by the Board will allow for the release of \$29,816.55 in retention to the contractor.

The objective of the Project is to construct monitoring wells to support the Expedited Purified Water Program, which includes potential indirect potable reuse (IPR) using purified water in the Los Gatos recharge ponds. The Project will facilitate groundwater monitoring needed to satisfy state permitting requirements for IPR projects.

The Project is located in the parking lot of the City of Campbell's (City) John D. Morgan Park. Work included drilling two borings to a maximum depth of approximately 400 feet, retrieving soil cores for analysis, and constructing monitoring wells in the two borings. To comply with the City's noise ordinance, a temporary sound wall was constructed. The Project also included parking lot restriping and resurfacing following completion of drilling.

Previous Board Actions

On August 23, 2016, the Board approved the plans and specifications and authorized advertisement for bids for the construction of the Project.

On October 25, 2016, the Board received a report of bids, rejected all bids, and authorized advertisement for bids for the construction of the Project.

On December 13, 2016, the Board awarded the subject contract to Cascade Drilling, L.P., in the amount of \$593,640 and approved a contingency fund of \$59,364. The Board authorized the Chief Executive Officer (CEO) or designee to approve individual change orders up to the total amount of the contingency, with the Engineering Unit Manager to approve individual changes up to \$59,364.

Contract Change Orders

One contract change order totaling \$2,691 was executed for this contract to address adjustments based on final quantity measurements.

Table 1 presents a summary of the construction contract and contingency amounts.

**TABLE 1. SUMMARY OF CONSTRUCTION CONTRACT
AND CONTINGENCY AMOUNTS**

	Contract Amount	Contingency Amount
Original Contract	\$593,640.00	\$59,364.00
Change Order No. 1 (FINAL) (staff approved)	\$2,691.00	<\$2,691.00>
Final Contract Amount and Remaining Contingency	\$596,331.00	\$56,673.00

Acceptance of the Work and Recording Notice of Completion of Contract

The California Civil Code allows an owner or agent to execute a Notice of Completion of Contract after acceptance of the work by the Board. The Notice of Completion of Contract and Acceptance of Work is included in Attachment 1. The Designated Engineer has determined that the work has been completed, to the best of her knowledge, in accordance with the plans and specifications, and recommends acceptance. The Designated Engineer's recommendation of construction acceptance is included in Attachment 2. The Project Completion Letter is included as Attachment 3. Photos of the completed Project are included in Attachment 4.

Construction Contract Retention

California law requires the District to release contract retention in accordance with certain time frames, which will commence once the Notice of Completion is recorded. Interest payment on retention due to the contractor may be avoided by meeting the requisite deadlines.

The District is currently withholding retention funds totaling five percent (5%) of the contract amount (\$29,816.55) in accordance with the Public Contract Code. Per the construction contract documents, the District is required to release retention funds associated with the contract 35 days after recording

the Notice of Completion of Contract and Acceptance of Work, subject to any withholds required by law or the contract.

Total Project Expenditures

As indicated in the Summary of Construction Contract and Contingency Amounts (Table 1), the original contract amount of \$593,640 has been increased by \$2,691 to \$596,331 an increase of approximately 0.5 percent. There were sufficient funds in the Board-approved contingency amount to pay these additional costs.

FINANCIAL IMPACT:

Total financial costs were detailed in previous sections of the agenda memorandum. The Project has been completed and no additional funding is recommended.

CEQA:

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

ATTACHMENTS:

- Attachment 1: Notice Completion of Contract/Acceptance of Work
- Attachment 2: Recommendation of Construction Acceptance
- Attachment 3: Project Completion Letter
- Attachment 4: PowerPoint
- Attachment 5: Project Delivery Process Chart

UNCLASSIFIED MANAGER:

Katherine Oven, 408-630-3126