



# Santa Clara Valley Water District

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**File No.:** 18-0148

**Agenda Date:** 8/14/2018

**Item No.:** 3.5.

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## BOARD AGENDA MEMORANDUM

### **SUBJECT:**

Notice of Completion of Contract and Acceptance of Work for the Board Room Audiovisual Modernization Project, Conti Corporation, Contractor, Project No. 73274010, Contract No. C0634 (San Jose) (District 4).

### **RECOMMENDATION:**

- A. Accept the work on the Board Room Audiovisual Modernization Project, Conti Corporation, Contractor, Project No. 73274010, Contract No. C0634 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, Conti Corporation, has completed the Board Room Audiovisual Modernization Project. The construction contract was awarded in the amount of \$535,553.00 and the final contract amount is \$583,695.67. Subject to any withholds allowed by law or the contract, acceptance of the work by the Board will allow for the release of \$26,777.65 in retention to the contractor.

The objectives of the Project were to benefit District staff, the public, elected officials, and those assisting with technical operations in the Board Room by:

- 1. Providing a user-friendly system with enhanced capabilities for persons with disabilities, such as installing a height-adjustable lectern that will provide optimum viewing angles.
- 2. Enhancing public viewer experience by providing a bright and crisp display with split screen views and that allows for multiple preset cameras for delivery of broadcast services. This upgrade includes broadcast HD quality streaming for distribution channels such as internet, cablecast, podcasts, and simulcast.
- 3. Bringing the system up to the latest standards of high resolution/high definition digital broadcasting systems.
- 4. Creating an easy to operate, media-friendly, and reliable system that facilitates presentations for meetings including those of the District's Board of Directors, staff functions, and various

community groups.

The Board Room is the principal space for the governance and policy making for the District and it is now equipped with technology that promotes effective communication between elected officials and the public appearing before the Board or viewing Board meetings remotely. The completed Board Room Audiovisual Modernization Project included the installation of new technology, enhanced audio and visual equipment, and improved public accessibility.

### ***Previous Board Actions***

On July 25, 2017, the Board approved the plans and specifications and authorized advertisement for bids for the construction of the Project.

On November 28, 2017, the Board of Directors awarded the subject contract to Conti Corporation in the sum of \$535,553.00, approved a contingency sum of \$80,332.95, which was 15% of the bid price for the bid option selected, and authorized the approval of individual change orders to be made up to the designated amounts:

1. Information Technology Unit Manager: \$30,000
2. Deputy Operating Officer (Designated Engineer): \$50,000
3. CEO: up to the total amount of the contingency

### ***Contract Change Orders***

A total of six contract change orders totaling \$48,142.67 were executed for this contract to address various issues, including design changes and unforeseen work.

These changes included:

1. Design change to the programming hardware and cabling. Existing conditions required these changes to take place.
2. Change to the lectern - easier to operate for the public.
3. Design change from VHS to Blu-Ray and additional microphones, required additional hardware.
4. Design change to replace defective amplifiers in the Board Room, Pre-function lobby, and Board conference rooms.
5. Design change - replacing analog to digital, improved user operability.
6. Design change - programming and additional hardware for the Board Room dais amplifiers.

Table 1 presents a summary of the construction contract amounts.

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

	<b>Contract Amount</b>
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<b>Original Contract</b>	<b>\$535,553.00</b>
Change Order No. 1 (staff approved)	\$18,353.21
Change Order No. 2 (staff approved)	\$4,934.06
Change Order No. 3 (staff approved)	\$2,891.31
Change Order No. 4 (staff approved)	\$4,597.98
Change Order No. 5 (staff approved)	\$3,035.47
Change Order No. 6 (staff approved)	\$14,330.64
<b>Final Contract Amount</b>	<b>\$583,695.67</b>

### ***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 his 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. The Project Delivery Process Chart is 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 (\$26,777.65) 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.

### ***Project Expenditures***

As indicated in the Summary of Construction Contract Amounts (Table 1), the original contract amount of \$535,553.00 has been increased by \$48,142.67 to \$583,695.67, an increase of approximately 8.98 percent (8.9%).

### **FINANCIAL IMPACT:**

Total financial costs were detailed in previous sections of this agenda memorandum. Project has

been completed and no additional funding is recommended.

**CEQA:**

The recommended action does not constitute a project under California Environmental Quality Act (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 of Completion and Acceptance of Work
- Attachment 2: Construction Contract Acceptance
- Attachment 3: Project Completion Letter
- Attachment 4: Project Delivery Process Chart

**UNCLASSIFIED MANAGER:**

Sudhanshu Tikekar, 408-630-2424