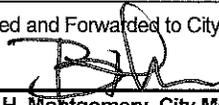




### STAFF REPORT

**Date:** Tuesday, December 13, 2016  
**To:** Bryan H. Montgomery, City Manager  
**From:** Kevin Rohani, P.E. Public Works Director/ City Engineer

Approved and Forwarded to City Council:

  
Bryan H. Montgomery, City Manager

**SUBJECT:** Acceptance of work associated with CIP 165A - Main Street Storm Drain Improvement Project

#### **Background and Analysis**

The City's adopted FY 2016/17 Capital Improvement Program (CIP) Budget designates funding for various infrastructure repair and replacement projects. This is consistent with the City's goals to improve the quality of the City's public infrastructure and to enhance the quality of life for our residents.

Capital Improvement Project No. 165A installed a storm drain system between Norcross Lane and 2<sup>nd</sup> Street consisting of storm drain lines, manholes, and catch basins. As part of the project design, Diablo Water District water utilities were relocated and a new fire hydrant was added between O'Hara Avenue and Hall Street. Main Street between Norcross Lane and 2<sup>nd</sup> Street did not have a storm drain system to collect storm water during the rainy season. Traditionally, storm water from Main Street would overflow onto the side streets or through the properties to the north toward the railroad tracks. This new storm drain system will capture all of the storm water runoff between Norcross Lane and 2<sup>nd</sup> Street and is now connected to the existing system located northeast of 2<sup>nd</sup> Street and flows towards the Delta waterways.

During the design phase of this project, City staff proactively had many meetings and discussions with Ironhouse Sanitary District staff and the Board of Directors regarding their interest in replacing the old and dysfunctional sanitary sewer line and laterals under Main Street from Norcross Lane and 2<sup>nd</sup> Street. The main sewer line has a number of breaks and sags in the pipe that prevent efficient flow of sewer discharge in this line. Additionally, the existing 4" sanitary sewer laterals on the north side of Main Street between Norcross Lane and 2<sup>nd</sup> Street do not meet the current Ironhouse Sanitary District standard of 6" laterals. It would be very beneficial to the Ironhouse Sanitary District if the main sewer line would be replaced as part of the City's project. Not only for the logistics of a large underground utility construction project, but also a more cost effective approach to having all of the utility work done as part of a single project.

A final agreement to structure the reimbursement for the cost of the sewer line replacement between the City and Ironhouse Sanitary District could not be reached, and the project proceeded with the construction of the storm drain system. Any future rehabilitation of the sewer line under Main Street by Ironhouse Sanitary District in downtown shall be performed by Trenchless methods. Open cutting and excavation of Main Street in downtown will not be permitted.

The issue of old and substandard sewer laterals along the north side of Main Street remained; as Ironhouse Sanitary District's policy places the responsibility and ownership of these laterals to the individual property owners.

To avoid property owners from trenching and damaging the future improvements that will be installed with next year's Streetscape project, staff directed the contractor to install nine new sewer laterals for a cost of \$26,550. The property owners are not required to connect to the new sewer laterals; however, if improvements are made to their building either for renovation or demolition and new building construction, they will be required to reimburse the City for their individual sewer laterals. The cost for each sewer lateral is just under \$3,000. This approach protects the City's new downtown infrastructure from being damaged as result of excavation for sewer lateral construction in the future.

During construction of the project, Diablo Water District requested to have the contractor replace two failing water gate valves at the intersection of O'Hara Avenue and Main Street for a cost of \$26,300. This was a change to the original plans and a change order was issued for that work and will be reimbursed by Diablo Water District. This additional work was constructed without any impacts to the project schedule and proceeded concurrently with the storm drain construction work.

Before construction began, staff communicated the details of the project with the residents and businesses along Main Street and informed them that access to their properties would be accommodated at all times during construction. During these discussions contact information was also provided so that any issues that came up during construction could be addressed expeditiously by staff and the construction team. This approach was particularly valuable during the removal of the asphalt for trenching operations and the paving process where the property owners were directly affected. City Staff and the contractor worked jointly in an effort to continuously notify the residents and business owners of the construction work.

### **Fiscal Impact**

This construction contract awarded by the City Council was for \$612,709.00 with a contingency amount of \$80,000, bringing the total authorized construction budget to \$692,709.00. There were six change orders with this project totaling \$109,268.64. However, \$52,850 will be reimbursed to the City for the water utility infrastructure and the sewer laterals. Therefore, this construction contract was successfully completed under the authorized budget for an amount of \$669,127.64.

Pursuant to the contract documents, 5% of the accrued costs were withheld from the amount paid to the contractor. These funds are called "retention", and are held until the end of the project to ensure that the contractor completes the project in a timely manner. Approval of this item will authorize the release of the retention payment to the contractor. The retention was already budgeted as part of the contract and change order approvals, so there is no additional fiscal impact associated with this action.

**Staff Recommendation**

Staff recommends that the City Council Adopt the Resolution accepting CIP 165A - Main Street Storm Drain Improvement Project as constructed by R&R Pacific Construction to be complete, and to direct the City Clerk to file a Notice of Completion for the project with the County Recorder.

**Attachments**

1. Resolution
2. Notice of Completion

RESOLUTION NO. \_\_-16

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OAKLEY ACCEPTING AS COMPLETE THE WORK PERFORMED BY R&R PACIFIC CONSTRUCTION FOR CIP PROJECT NO. 165A – MAIN STREET STORM DRAIN IMPROVEMENT PROJECT**

**WHEREAS**, the BKF Engineers, Inc. prepared plans, special provisions, and cost estimates related to CIP Project No. 165A – Main Street Storm Drain Improvement Project; and

**WHEREAS**, on June 28, 2016 by adopting Resolution No. 91-16, the City Council awarded a construction contract to R&R Pacific Construction, for the construction of CIP No. 165A – Main Street Storm Drain Project; and

**WHEREAS**, during the life of the project six (6) change orders were issued, for an amount of \$109,268.64; and

**WHEREAS**, two of those change orders totaling \$52,850 will be reimbursed to the City for water line and sewer lateral construction; and

**WHEREAS**, R&R Pacific Construction has satisfied the contractual requirements necessary for the acceptance of CIP No. 165A – Main Street Storm Drain Project as complete.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the City Council of the City of Oakley that CIP Project No. 165A – Main Street Storm Drain Project is hereby accepted as complete.

**BE IT FURTHER RESOLVED AND ORDERED**, that the City Clerk is hereby directed to file a Notice of Completion for CIP No. 165A – Main Street Storm Drain Project with the County Recorder.

**PASSED AND ADOPTED** by the City Council of the City of Oakley at a meeting held on the 13<sup>th</sup> of December, 2016 by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTENTIONS:

APPROVED:

\_\_\_\_\_  
,Mayor

ATTEST:

\_\_\_\_\_  
Libby Vreonis, City Clerk

\_\_\_\_\_  
Date

PURSUANT TO GOVERNMENT  
CODE §6103 NO FEE IS REQUIRED  
FOR THE RECORDATION OF THIS  
DOCUMENT

**WHEN RECORDED MAIL TO:**

City Clerk  
City Of Oakley  
3231 Main Street  
Oakley, Ca 94561

**RECORDING REQUESTED BY:**

City Of Oakley  
3231 Main Street  
Oakley, CA 94561

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

**NOTICE OF COMPLETION**

**CIP 165A – Main Street Storm Drain Project**

NOTICE IS HEREBY GIVEN THAT:

The CITY OF OAKLEY, a political subdivision of the State of California, did, on June 28, 2016, enter into an agreement with R&R Pacific Construction for construction of Capital Improvement Program Project Number 165A – Main Street Storm Drain Project.

The work described in the contract documents was to furnish all material, labor, and equipment necessary to complete CIP No. 165A – Main Street Storm Drain Project. The project limits are on Main Street from Norcross Lane to 2<sup>nd</sup> Street.

On December 13, 2016 said contract, as a whole was completed and the work was accepted by the City Council of the City of Oakley.

I hereby certify under penalty of perjury that the facts set forth in the foregoing Notice of Completion are true and correct.

Executed at Oakley, Contra Costa County, State of California, on December 13, 2016.

By: \_\_\_\_\_  
Libby Vreonis, City Clerk  
City of Oakley, California