

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

## Agenda Number:

**Prepared on:** 1/15/02  
**Department Name:** PW/Laguna Sanitation District  
**Department No.:** 054  
**Agenda Date:** 2/5/02  
**Placement:** Administrative  
**Estimate Time:**  
**Continued Item:** NO  
**If Yes, date from:**  
**Document File Name:**

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**TO:** Board of Directors  
Laguna County Sanitation District

**FROM:** Phillip M. Demery  
Director, Public Works Department

**STAFF CONTACT:** Mark Schleich, Deputy Director  
Martin Wilder, District Manager, x8755

**SUBJECT:** Amend Purchase Order Contract for Additional Construction Management Services for the Dutard-Solomon Trunk Sewer Line Project, Fourth and Fifth Supervisorial Districts

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## Recommendation(s):

That the Board of Directors:

- A. Authorize the Purchasing Agent to amend Contract No. 819512 with MNS Engineers, Inc. for construction management services from \$160,800 to \$209,525 for the Laguna County Sanitation District's Dutard-Solomon Trunk Sewer Line project.

## Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 2: A safe and healthy community in which to live, work and visit.

## Executive Summary and Discussion:

The Dutard-Soloman trunk sewer line project involves the construction of a new trunk line from the westerly end of old town Orcutt to the Laguna County Sanitation District wastewater treatment plant located at the westerly terminus of Dutard Road. The project has been identified as a capital improvement since 1959 when the plant was built and was intended to replace the lift station located near the intersection of Blosser Road and Clark Avenue when it met its useful life. The lift station is subject to repairs and now operates at full

capacity. A second smaller and temporary lift station serving the Wes Trails development will also be removed. The project was included in the Orcutt Community Plan EIR dated December 1995 and approved by the Board July 22, 1997 (Clerk of the Board file No. 20,536).

MNS Engineers, Inc. was selected from the list of vendors on the Public Works Department's Master Services Agreement (MSA) list to perform construction management services for this project. Because the amount exceeded the balance remaining for this vendor under the MSA program, Contract No. 8190512 was issued in the amount of \$90,000 on June 5, 2001 through the Purchasing Division.

Subsequently, on June 21, 2001, eleven (11) bids were opened for the construction of the Dutard-Solomon Trunk Sewer Line (DURSOL-720514). Kenko, Inc. submitted the lowest bid which was \$330,275 below the engineer's estimate and \$99,875 below the second lowest bid. However, on June 27, 2001, a protest was submitted by the Southern California Labor/Management Operating Engineer's Contract Compliance office which was based on California Occupational Safety and Health Administration (Cal-OSHA) citations, work performance and prevailing wage infractions. Based on a response from the contractor and due diligence performed by County Counsel and staff, it was determined that there was not sufficient evidence to consider the bidder to be non-responsible. The construction contract was then awarded by the Board on August 7, 2001.

However, to ensure proper inspection of the work, it is the intent of the District to provide an additional construction inspector. Pursuant to Government Code Section 25502.5 and County Code Section 2.42, the Purchasing Agent may only sign Service Contracts up to \$100,000. The Board, therefore, on September 25, 2001 authorized the Purchasing Agent to amend Contract No. 8190512 based on a revised scope of work from the vendor to \$160,800.

To date, the construction of the sewer line is approximately 80% complete and is expected to be finished by the end of February. In order to complete the project before the expiration of contract time and limit construction activities during the rainy season, the contractor has worked longer days and on Saturdays. In order to complete construction management on the project, however, it will be necessary to further amend the contract with MNS Engineers to include this additional time and to provide for inspection of close out items.

This action, therefore requests that the purchase order contract with MNS Engineers be further amended by \$48,725 to a revised limit of \$209,525.

**Mandates and Service Levels:**

There are no changes to service levels with this action.

**Fiscal and Facilities Impacts:**

Funds are available from District service charges in Department 054, Fund 2870, Account 8200.

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**Special Instructions:**

Direct the Clerk of the Board to send a certified copy of the Minute Order to John McMillin, Purchasing Manager (2690), and Martin Wilder, Laguna County Sanitation District Manager (x8750).

**Concurrence:**

General Services – Purchasing Division