



**DATE:** June 23, 2020

**CATEGORY:** Consent

**DEPT.:** Public Works

**TITLE:** **Shoreline Park Irrigation Replacement, Project 16-31 – Amend Construction Contract Contingency**

### **RECOMMENDATION**

Approve additional construction contingency in the amount of \$50,000 and amend the construction contract with WABO Landscape and Construction, Incorporated, for Shoreline Park Irrigation Replacement, Project 16-31.

### **BACKGROUND**

Shoreline Park Irrigation Replacement, Project 16-31, is located at Shoreline at Mountain View Regional Park, in the North Shore area adjacent to Shoreline Lake (see Figure 1). The project scope of work includes the replacement and installation of the irrigation system and sod turf in the North Shore area.



**Figure 1: Project Location**

In September 2017, the City Council approved plans and specifications, and authorized bidding for the project. In March 2018, the project was awarded to WABO Landscape and Construction, Incorporated (WABO) with an agreement in the amount of \$740,454, including a \$70,000 construction contingency.

## **ANALYSIS**

The California Department of Fish and Wildlife (DFW) requires that when nesting birds are found within a certain radius of a construction project, the construction activities shall stop. During the course of this project, the construction activities were stopped and suspended on three separate occasions due to nesting birds found within the DFW radius. The suspensions took place from May to September 2018, April to August 2019, and February to May 2020. The project has also experienced delays due to wet weather during the winter months.

As a result of the nesting bird and wet weather delays, there were additional costs incurred for the extended temporary fence rental, additional mobilization, additional water pollution control, and extended plant maintenance cost, totaling \$52,000. Furthermore, it was found during construction and confirmed in the rainy season that the project site has poor drainage, causing ponding issues. To avoid future drainage issues, additional drainage facilities are proposed to be added to the project. This additional drainage work will cost \$40,000. The project's original contingency budget was \$70,000, of which \$19,000 has already been expended. There is not enough contingency remaining to cover the additional \$92,000 in costs for the delays and additional drainage facilities.

The original contract work was completed in May 2020 and the temporary construction fencing has been removed from the project. With approval of staff's recommendation, the additional drainage work will be performed and completed in the summer. Staff anticipates returning to Council in fall 2020 to recommend acceptance of the construction project.

**FISCAL IMPACT**

Shoreline Park Irrigation Replacement, Project 16-31, is currently funded with \$1,026,000 from the Shoreline Community Fund. The estimated cost of construction is as follows:

Original Construction Contract (excluding contingency)	\$670,454
Contingency Expended to Date	19,000
Delay Costs	52,000
Drainage Facilities	40,000
Requested New Contingency	<u>9,000</u>
Total Estimated Construction Cost	\$790,454
Original Construction Contract (including contingency)	\$740,454
Construction Contract Shortfall	<u>\$50,000</u>

The project has sufficient funding for the recommended contract amendment to add \$50,000 in construction contingency to cover the estimated construction shortfall. With the amendment, the construction contract with WABO will have a not-to-exceed total contract amount of \$790,454, which includes a \$120,000 contingency.

**ALTERNATIVES**

1. Do not authorize the additional contingency to the construction contract.
2. Provide other direction.

**PUBLIC NOTICING** – Agenda posting.

Prepared by:

Andy Chang  
Senior Civil Engineer

Reviewed by:

Lisa Au  
Principal Civil Engineer/  
Capital Projects

Edward Arango  
Assistant Public Works Director/  
City Engineer

AC/TS/1/CAM  
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cc: PWD, APWD – Arango, PCE – Au, PCE – Shah, SCE – Chang, SMA – Goedicke,  
File (16-31)

Approved by:

Dawn S. Cameron  
Public Works Director

Audrey Seymour Ramberg  
Assistant City Manager/  
Chief Operating Officer