



Staff Report

RESOLUTION APPROVING CONTRACT CHANGE ORDER NUMBER ONE FOR EMERGENCY SEWER WORK IN AN AMOUNT NOT TO EXCEED \$40,000 TO JMB CONSTRUCTION, INC. AND REQUESTING TO BE EXEMPT FROM THE CITY'S NOISE ORDINANCE FOR NIGHT WORK ON EL CAMINO REAL AT MIDDLE ROAD, HASKINS PUMP STATION REHABILITATION PROJECT, CITY CONTRACT NUMBER 467

Honorable Mayor and Council Members:

Summary

City staff is requesting Council approval to have JMB Construction perform emergency sewer repair work on El Camino Real at Middle Road and exemption from the City's Noise Ordinance for night time work.

Background

The City recently experienced a sewer overflow on El Camino Real caused by the failing sewer line. Review of videotapes of the pipeline showed four large holes in the pipe and a thirty foot section that has failed and must be replaced. The State and Regional Water Quality Control Boards has required every City to develop and implement a Sanitary Sewer Overflow Emergency Plan to reduce the likelihood of sanitary sewer overflows and insure timely repairs to failing utilities to prevent future overflows. In addition, the City must report all sewer overflows to the State Water Board in order to avoid fines and protect public health. The sewer line is located in the middle of El Camino Real and due to heavy traffic Caltrans requires the work on the sewer line be done only during night time to avoid traffic interruption and street closure. In addition, the City wishes to reduce impact on traffic traveling to the school on Middle Road.

Discussion

The City's Purchasing Ordinance allows for the suspension of the contract bid process if it will result in long delays. Given the rainy season is fast approaching and the possibility for another sanitary sewer overflow occurrence, the City must take steps to avoid this probability.

The City is currently conducting a Haskins Sewer Pump Station Rehabilitation Project. The contractor doing this work is JMB Construction, Inc. is experienced in emergency sewer repair projects. City staff is recommending utilizing JMB Construction, Inc. workforce to conduct emergency repairs to the 6" sewer line on El Camino Real.

It is proposed that City staff will issue Change Order Number One to the Haskins Pump Station Rehabilitation Project amending the existing contract and providing additional budget to the project. The current Haskins Pump Station budget is \$329,500. The 10% contingency is

\$32,950. The project started on August 12, 2007 and has 150 days of contract time. If the City Council authorizes the Public Works Director to approve procurement of a contract change order in an amount not to exceed \$40,000 to JMB Construction they will conduct repairs on El Camino Real sewer line. The total contract time for the Haskins Pump Station Project will need to be extended. The competitive contract bidding process will not be utilized due to the emergency nature of the work.

General Plan/Vision Statement

There is no impact from this report.

Fiscal Impact

Funding in the amount of \$40,000 will be obtained from the Sewer Capital Improvement Project Account 503-4326-7003-9030.

Public Contact

The Council agenda was posted.

Recommendation

Staff recommends approving contract change order number one for emergency sewer work in an amount not to exceed \$40,000 to JMB Construction, Inc. and requesting to be exempt from the City's Noise Ordinance for night work on El Camino Real at Middle Road.

Alternatives

1. Take no action.
2. Refer back to staff for further information.
3. Deny approval.

Attachments

- A. Resolution

Respectfully submitted,

Bozhena Palatnik
Associate Engineer

Raymond E. Davis, III, PE, PTOE
Director of Public Works

Jack R. Crist
City Manager

Staff Contact:

Karen Borrmann, City Engineer
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RESOLUTION NO. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELMONT
RESOLUTION APPROVING CONTRACT CHANGE ORDER NUMBER ONE FOR
EMERGENCY SEWER WORK IN AN AMOUNT NOT TO EXCEED \$40,000 TO JMB
CONSTRUCTION, INC. AND REQUESTING TO BE EXEMPT FROM THE CITY'S
NOISE ORDINANCE FOR NIGHT WORK ON EL CAMINO REAL AT MIDDLE
ROAD, HASKINS PUMP STATION REHABILITATION PROJECT,
CITY CONTRACT NUMBER 467**

WHEREAS, the City recently experienced a sewer overflow on El Camino Real caused by the failing sewer line; and,

WHEREAS, the State and Regional Water Quality Control Board have requires every City to develop and implement a Sanitary Sewer Overflow Emergency Plan to reduce the likelihood of sanitary sewer overflows and insure timely repairs to failing utilities to prevent future overflows; and,

WHEREAS, City staff is looking at alternatives to repair the sewer line in the most reliable and cost-efficient way utilizing JMB Construction, Inc. that is under contract with the City to perform Haskins Pump Station Rehabilitation Project; and,

WHEREAS, the sewer line is located in the middle of El Camino Real and due to heavy traffic the work on the sewer line can be done only during night time to avoid traffic interruption and street closure; and,

WHEREAS, the City is requesting to be exempt for the City's Noise Ordinance to perform the night work; and,

WHEREAS, funding in the amount of \$40,000 will be obtained from the Sewer Capital Improvement Project Account 503-4326-7003-9030.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Belmont approves contract change order number one for emergency sewer work in an amount not to exceed \$40,000 to JMB Construction, Inc. and requests be exempt from the City's Noise Ordinance for night work on El Camino Real at Middle Road.

* * * * *

I hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of Belmont at a regular meeting thereof held on November 27, 2007 by the following vote:

AYES, COUNCILMEMBERS: _____

NOES, COUNCILMEMBERS: _____

ABSTAIN, COUNCILMEMBERS: _____

ABSENT, COUNCILMEMBERS: _____

CLERK of the City of Belmont

APPROVED:

MAYOR of the City of Belmont