

TO: James L. App, City Manager
FROM: Doug Monn, Public Works Director
SUBJECT: 21st Street Improvements Project
DATE: May 7, 2013

NEEDS: For City Council to consider approving a change order to the construction contract for the 21st Street Improvements project.

- FACTS:**
1. On January 15, 2013, City Council awarded a construction contract for the 21st Street Improvements project to Raminha Construction.
 2. Part of the project is the upgrade of existing underground utilities.
 3. An existing 12-inch diameter vitrified clay sewer pipe extends under the railroad tracks to the intersection of 21st and Riverside.
 4. As awarded the project would have left the clay line in place and installed a new lining thereby extending its useful life.
 5. Prior to installation of the lining the aging sewer was videoed and it appeared an obstruction existed just downstream of the railroad track.
 6. The line was then potholed on March 4 to confirm that the obstruction did exist.
 7. It was determined that someone had cut into the top half of the clay line and extended a conduit carrying a fiber optics communication line through existing sewer pipe impeding the flow (see attached photos).
 7. Staff met with Sprint and Verizon representatives who own the communication line. It was determined the lines were installed some years ago without the knowledge of the City, nor was the City notified of the damage to the sewer pipe.
 8. As a result of the damage, the sewer line cannot be lined as per original bid and must now be replaced. The work will require boring under the railroad tracks to install a new sewer line.

**ANALYSIS &
CONCLUSION:**

Sprint and Verizon are contesting the City's claim that they should cover the cost of the repair, however, the project must proceed in order to maintain its completion schedule. A new design has been prepared to replace the existing sewer line. The new design was submitted to Raminha for a cost proposal. Their fee for this work is a not-to-exceed fee of \$150,000. They will also need to close and detour traffic around the railroad tracks for approximately two to three weeks.

Staff is recommending Council award the proposed change order to repair the sewer line and complete the project on schedule and allow staff and legal counsel seek reimbursement from Sprint and Verizon.

POLICY

REFERENCE: Resolution No. 13-005 awarding the project to Raminha Construction.

FISCAL

IMPACT: City Council will need to allocate \$150,000 to the 21st Street Improvements project. This additional allocation will be from the Sewer Enterprise Funds. Additionally staff will pursue a claim against Sprint/Verizon and seek reimbursement for the damage done to the City's sewer line.

OPTIONS:

- a. Adopt Resolution No. 13-xx approving the following:
 - (1) contract change order in the amount of \$150,000 to Raminha Construction to jack and bore under the railroad tracks and replace an existing sewer line to Riverside; and
 - (2) allocation of an additional \$150,000 from Sewer Enterprise Funds to Budget No. 101.910.5452.688.
- b. Amend, modify, or reject the above option.

Prepared by: Ditas Esperanza, P.E., Capital Projects Engineer

Attachments: 1) Resolution
2) Photos

RESOLUTION NO. 13-xxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PASO ROBLES
APPROVING A CHANGE ORDER FOR THE 21ST STREET IMPROVEMENTS PROJECT

WHEREAS, on January 15, 2013, City Council awarded a construction contract for the 21st Street Improvements project to Raminha Construction; and

WHEREAS, there is an existing 12-inch diameter vitrified clay pipe under the railroad tracks, which per the bid specifications was to be left in place, with lining installed to extend the pipe's useful life; and

WHEREAS, prior to installing the lining, staff videoed the pipe and discovered an obstruction downstream of the railroad track; and

WHEREAS, because the video images were inconclusive, the area of obstruction was potholed, revealing a communication line inside a casing that had punctured and cut the sewer pipe; and

WHEREAS, staff met with Sprint and Verizon representatives (owners of the communication line) and learned that the lines were installed a few years ago, but that the City had not been notified that the sewer pipe was damaged; and

WHEREAS, the damaged sewer pipe cannot be lined as per original bids and must now be replaced by jacking and boring a new casing under the railroad track and installing a sewer pipe inside the casing; and

WHEREAS, the City's encroachment permit with Union Pacific Railroad (UPRR) will need to be updated to include installation of the casing; and

WHEREAS, a design to replace the existing sewer pipe has been prepared and submitted to Raminha Construction, who responded with a fee proposal in the not-to-exceed amount of \$150,000; and

WHEREAS, an allocation of \$150,000 from the Sewer Enterprise Funds to the 21st Street Improvements project is needed to accomplish the sewer pipe replacement.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. The City Council of the City of El Paso de Robles does hereby approve a contract change order in the amount of \$150,000 to Raminha Construction to jack and bore under the railroad tracks and replace an existing sewer pipe to Riverside.

SECTION 2. The City Council does hereby approve an allocation of \$150,000 from the Sewer Enterprise Funds to Budget No. 101.910.5452.688.

PASSED AND ADOPTED by the City Council of the City of Paso Robles this 7th day of May 2013 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST:

Duane Picanco, Mayor

Caryn Jackson, Deputy City Clerk



