



## Legislation Text

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**File #:** 12-0011, **Version:** 1

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Resolution for Approval of Amendment No. 2 to the Contract for Structural Repair and Painting of Clarifiers 4 & 5 with E & L Construction Group, Inc. (\$139,000.00)

This memorandum and resolution requests approval of Amendment No. 2 to the contract with E & L Construction Group, Inc. for the Structural Repair and Painting of Clarifiers 4 & 5 Project (\$139,000.00).

This project replaces the coatings on all structural steel components in Clarifiers 4 and 5 at the Water Treatment Plant. In addition, this project includes replacement of deteriorated handrail, installation of fixed ladders to safely access work areas, repair of a weir ring in Clarifier 5, and removal and replacement of weir plates on the outer launder of Clarifier 5. The metal components in Clarifier 4 and 5 were last coated in the mid-1980's. The existing coatings have exceeded their expected life by approximately 5 to 10 years.

Council approved the contract with E&L Construction for \$322,500.00 and a contingency in the amount of \$35,000.00 in November 2009, as part of Resolution No. R-09-464. In May 2011, Amendment No. 1 for a contract deduction of \$11,783.16 was approved by the City Administrator, leaving the project contingency balance of \$46,783.16. Amendment No. 2 for \$139,000.00 will exhaust the project's contingency and will require Council approval of an additional \$92,216.84 to address the necessary change order.

Amendment No. 2 includes the following additional work:

- Removal of mill scale in Clarifier 4;
- Additional testing Services; and
- Additional painting and blasting associated with the poor condition of the steel.

It is recommended that Amendment No. 2 to the contract with E&L Construction in the amount of \$139,000.00 be approved.

E & L Construction Group received Human Rights approval on January 25, 2011, and complies with the living wage ordinance.

Funds for this project are to be advanced from the Water Supply System Unobligated Fund Balance to be repaid pending the sale of water revenue bonds via the Drinking Water Revolving Loan Fund (DWRF).

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Reviewed by: Molly Wade, Water Treatment Services Unit Manager

Approved by: Steven D. Powers, City Administrator

Whereas, Replacement and coating structural steel components in and around Clarifiers 4 & 5 is necessary to extend the service life of the equipment;

Whereas, Council approved this project and associated funding during the FY09 and FY10 Capital Budget process;

Whereas, This project is included as part of the Drinking Water Revolving Loan Fund application made by the City for a select number of water system projects and was accepted for funding through this program;

Whereas, There is not sufficient project contingency available to cover the costs associated with Amendment No. 2; and

Whereas, E & L Construction Group, Inc. has received Human Rights approval on May 10, 2011, and complies with the living wage ordinance;

RESOLVED, That the Amendment No. 2 in the amount of \$139,000.00 to the contract with E&L Construction is approved;

RESOLVED, That Council approve an additional \$92,216.84 beyond the existing project contingency approved by Council as part of Resolution No. R-09-464 to cover the cost of Amendment No. 2;

RESOLVED, That the Mayor and City Clerk be authorized and directed to execute Amendment No. 2 to the Professional Services Agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That the City make the following declaration for the purpose of complying with the reimbursement rules of Treas. Reg. 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended, that the City reasonably expects to reimburse itself for expenditures for the costs of the Project with proceeds of Bonds;

RESOLVED, That funding for this project was approved in the FY09 and FY10 Capital Projects Budget and are to be advanced from the Water Supply System Operating Fund Balance to be repaid pending the sale of water revenue bonds; and

RESOLVED, That the City Administrator be authorized to take the necessary administrative actions to implement this resolution.