

Agenda Report

TO: CITY COUNCIL June 22, 1998

FROM: ACTING CITY MANAGER

SUBJECT: APPROVAL TO REIMBURSE BROWNING-FERRIS INDUSTRIES, INC. \$69,401 FOR THE COST OF SEVERAL CHANGE ORDERS FOR THE LOW FLOW STREAM RESTORATION PROJECT

RECOMMENDATION:

It is recommended that the City Council authorize the reimbursement of \$69,401 to Browning-Ferris Industries, Inc. (BFI) for the cost of certain expenditures that benefited the City: a) the replacement of drainage pipes; b) the encasement of a concrete drain line; c) the installation of metal trash racks on stream inlets and outlets; and, d) the resurfacing of the Lower Arroyo parking lot and access maintenance road.

BACKGROUND:

July 7, 1991 the City entered into Contract No. 14,386 the Arroyo Seco Site Restoration Agreement with BFI of California. Staff determined that BFI fulfilled the terms of this contract and at its own expense (\$5,400,000) completed the Lower Arroyo Seco Low Flow Stream Restoration Project that restored the site as a natural stream bed and riparian area. In addition, BFI completed the project in compliance with the California Environmental Quality Act (CEQA) guidelines and all other contractual requirements.

A number of unanticipated circumstances arose that required Change Orders during the construction of the project. These Change Orders were not anticipated by BFI and were above and beyond the agreed scope of work totaling \$69,401.

CHANGE ORDERS:

18" SDR Pipe Extension between Channels F&D

18" SDR Pipe Extension at Line Y

Remove 18" CMP and replace with 18" SDR 35 (300 LF)

Upon connecting to City pipe at the construction limit line, it was evident the new pipe would be connected to corroded/collapsed pipe outside of the construction limits. This work replaced unusable pipe on City property outside of BFI's construction limits.

Provide Encasement of Line A in Area B

During the City's plan check, this section of concrete pipe was designed to not allow heavy loads over it. During construction City inspectors altered circulation patterns, posing the likelihood that heavy equipment would pass over this section of pipe. The encasement allows for such traffic.

Replace Asphalt with "Stabilizer" Resurfacing

The Arroyo Seco Public Lands Ordinance outlines the requirements for trails and roads composition. BFI agreed to install material meeting the City requirements but only in an amount associated with existing asphalt. The total material cost was \$36,153, with BFI paying \$21,600.

Relocate Backflow at East Side of Archery Bridge

During the first phase of work, completed in 1996, a specific request for work (installation of a backflow device on the well water system) was made by the City. Based on follow up inspections and completion of phase II projects, which required further work, additional costs were incurred.

Transport of Arroyo Stone to Brookside Park

Arroyo stone was in the process of being removed from the project. The use of these materials for future Arroyo and Citywide improvement projects would reduce total projects costs. The material was relocated to Brookside Park for temporary storage.

Backflow Device required by City

There are two primary irrigation systems on this project site. One system uses well water for drip irrigation. Due to this well's inability to provide all of the project's irrigation requirements, a separate system was installed for domestic water service for an overhead irrigation system that will be used for rodent control and future ground cover. The requirement to provide this secondary system also necessitated the installation of a backflow protection device for public safety. BFI agreed to pay for 50% of this cost.

Trash Racks on inlets and outlets of 30" & 36" RCP

This work responds to health and safety. Large pipes emptying water into the area were checked but did not have the required trash racks to prevent children and/or adults in entering these pipes. BFI agreed to pay for 50% of this cost.

FISCAL IMPACT

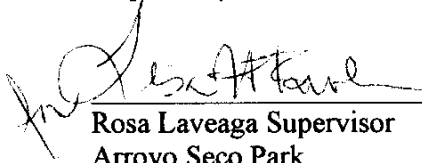
Sufficient funds have identified in FY98 Operating Budget Accounts 76473 Drain Replacement (\$29,000), and 765100 Park Maintenance (\$40,401) to reimburse BFI.

Respectfully Submitted,



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