

RESOLUTION NO. 2021-08

**AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT
WITH 4LEAF, INC., IN THE AMOUNT OF \$50,970, TO PROVIDE CONSTRUCTION
INSPECTION SERVICES FOR WATER SYSTEM IMPROVEMENTS TO BE
CONSTRUCTED BY THE DEVELOPER AT 1325 OLD COUNTY, AND FUNDED BY A
DEPOSIT FROM THE DEVELOPER, WINDY HILL PROPERTY VENTURES, INC.**

* * *

MID-PENINSULA WATER DISTRICT

WHEREAS, the Board of Directors (Board) approved a Water Service Agreement with Windy Hill Property Ventures, Inc. (Developer) at their regular meeting on April 22, 2021 for its development at 1325 Old County Road, which required off-site water system improvements to be constructed by Developer at its expense and dedicated to the Mid-Peninsula Water District (District) upon acceptance of the water system improvements; and

WHEREAS, the off-site water system improvements are anticipated to take eight weeks to construct and include replacement of all existing water mains, valves, fire hydrants, fire services, domestic and irrigation services on O'Neill Avenue, Elmer Street, Karen Road and Old County Road, which surround the development; and

WHEREAS, the Water Service Agreement with Developer required a deposit of \$50,970 with the District to be used by the District to pay for construction inspection services during the construction of the off-site water system improvements; and

WHEREAS, the District has retained 4LEAF, Inc. to provide a constructability review for District capital project known as the Old County Road (05-1621-CP) following a consultant selection process in 2018; and

WHEREAS, 4LEAF, Inc. has been retained to assist with a focused and narrow community outreach program in conjunction with District staff prior to the start of construction on the District's Old County Road capital project; and

WHEREAS, the District intends to negotiate a scope of work with 4LEAF, Inc. to provide construction management and inspection services for the District's Old County Road capital project during construction; and

WHEREAS, it was internally determined after consideration of staffing levels and workload, that a full-time dedicated construction inspector would need to be provided by a consultant; and

WHEREAS, District staff requested and received a proposal from 4LEAF, Inc. (Exhibit A to the Professional Services Agreement) to provide full-time construction inspection services (pre-construction, construction and post construction) for the off-site water system improvements associated with the 1325 Old County Road development, which are planned to start and be completed before the District's Old County Road capital project; and

WHEREAS, the professional services agreement with 4LEAF, Inc. in the amount of \$50,970, will be funded in its entirety by Developer in the form of a \$50,970 deposit described in Section 4.B. of the Water Service Agreement, which also describes how Developer can seek to request any portion of the deposit should their work be accepted by the District before the eight week construction period, and how the Developer will be liable for 4LEAF's daily rate of \$1,176 for each day of work, until District acceptance, exceeding eight weeks through a reduction in a reimbursement described in Section 4. E. of the Water Service Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Mid-Peninsula Water District hereby authorizes a professional services agreement with 4LEAF, Inc. in the amount of \$50,970, to be funded in its entirety by the Developer of 1325 Old County Road for the off-site water system improvements required of the Developer to construct and dedicate to the District, for the purpose of providing full time construction inspection services, and authorizes the General Manager to execute it on behalf of the District.

REGULARLY PASSED AND ADOPTED this 27th day of May 2021.

AYES: Directors Wheeler, Warden, Vella, Schmidt

NOES: 0

ABSTENTIONS: 0

ABSENCES: Director Zucca


BOARD PRESIDENT

ATTEST:


BOARD SECRETARY