



# TOWN OF FAIRFAX

## STAFF REPORT

### November 6, 2013

**TO:** Mayor and Town Council

**FROM:** Garrett Toy, Town Manager *GT*

**SUBJECT:** Approval of the Notice of Completion for the Pastori Bank Stabilization Project

---

#### RECOMMENDATION

Authorize the Town Manager to issue a Notice of Completion for the Pastori Bank Stabilization Project.

#### DISCUSSION

For the past several years, the Town has been discussing the stabilization of the creek bank in the San Anselmo Creek near the Pastori Bridge, as well as replacing the existing 24" storm drain pipe with a 48" pipe to prevent water from "bottle-necking" in that location. In August 2013, the Council awarded a bid to Ghilotti Construction (Contractor) for \$151,000 to only construct the bank stabilization portion of the original project. In October, the Council authorized the Town Manager to pay for change orders for the work required to complete the project and appropriated an additional \$80,000 in funds to pay for such work.

The additional work was required to address the following unanticipated field and weather conditions:

- The concrete footing was highly unstable and collapsed when workers attempted to drill into the footing. This resulted in the construction of a new wall that will provide the same or better erosion protection for the bridge and bank, but at an increased cost.
- The water table in the creek was much higher than in August which caused increases in pumping costs.
- It was difficult to maintain water turbidity levels as required by the permits which caused additional costs to be incurred related to project "stop time" and additional equipment (e.g., water storage tanks, filters, and pumps) to implement a solution that worked.
- The rain storm on Saturday (9/21) washed away much of the project set-up requiring the water diversion system be reinstalled and the additional relocation of fish which added 2 days of work to the project.

At the meeting, the project engineer from CSW will report on the project including details on the increased costs for the project.

The Contractor started the project in August and completed it on October 7, 2013. The Town is required to file a Notice of Completion (Notice) with the Marin County Recorder's office. Staff recommends issuance of the Notice of Completion. Upon the recordation of the Notice, staff will release the 5% retention to the Contractor.

AGENDA ITEM # 22

### **FISCAL IMPACT**

The initial Project cost was budgeted at \$261,400. In October, staff estimated project costs would be increased upwards of \$115,000 to \$341,400. Our current estimate is that total project costs will be slightly less at approximately \$329,000 resulting in some savings to the Dry Period fund.

### **ATTACHMENTS**

Estimated Project Costs

Notice of Completion

## Estimated Project Costs

	<u>Est. (8/7/13)</u>	<u>Final Est. (11/6/13)</u>
Plans and Spec Preparation/Bid Award	\$12,000	\$12,000
Biological/Water Quality Consultant*	\$26,000	\$26,000
Construction Management/Engineering**	\$37,400	\$47,400
Bank Stabilization (base bid)***	\$151,000	\$241,285.12
Contingency for Biological/Water Quality+	\$20,000	n/a
Project Contingency (% of hard cost)+	<u>\$15,000 (10%)</u>	<u>\$2,000</u>
Total Estimated Costs	\$261,400	\$328,685.12

## Funding Sources

FEMA	\$ 48,631	\$48,631
General Fund (budgeted)	\$ 86,369	\$86,369
Measure I	\$ 65,000	\$65,000
Additional funds (Dry Period fund)	<u>\$61,400</u>	<u>\$141,400</u>
Total Estimated Funding	\$261,400	\$341,400

### NOTE:

\*The additional \$10,000 is for additional time needed to monitor water turbidity, to initially relocate the fish, and the relocation of fish the second time due to the rain storm.

\*\*Includes the work of CSW outside their scope of work and cost of the geotechnical engineer to monitor the installation of piers for the concrete footing as well as the installation of a new wall to replace the footing.

\*\*\*Final Est. includes approved change orders for the project.

+Contingencies are no longer needed as estimated additional costs are now allocated to specific line items. The project contingency is meant to cover other incidental costs including any needed repairs to Orear's property caused by the project. These are meant to be "not to exceed" costs.

WHEN RECORDED RETURN TO  
Department of Public Works  
Town of Fairfax  
142 Bolinas Road  
Fairfax, CA 94930

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN that the undersigned Town of Fairfax, 142 Bolinas Road, owners, caused certain construction work to be performed within the County of Marin, which work is generally described as follows (including address):

Pastori Storm Drain Outfall Project consisting of the stabilization of the creek bank, creek dewatering, stream diversion, installation of concrete wall, and installation of slip pipe located under the Pastori Street Bridge in the Town of Fairfax.

That the contract for the performance of such work was awarded to Ghilotti Construction that said work was completed on the 7th day of October 2013, and that said Ghilotti Construction was the contractor.

This notice is given pursuant to Section 3094 and 3129 of the Civil Code of the State of California.

<p>This is to certify that the Notice of Completion above is hereby authorized by order of the Council of the Town of Fairfax pursuant to Council Resolution No. ____ dated _____, and owner consents to recordation thereof by its duly authorized officer.</p>	<p style="text-align: center;">TOWN OF FAIRFAX A MUNICIPAL CORPORATION</p> <p>I declare under penalty of perjury that the information is true and correct.</p> <p><u>BY</u> _____ Garrett Toy Town Manager</p> <p><u>Dated:</u> _____</p>
--	---