



# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Tell and Members of the City Council

**THROUGH:** Geoff Dolan, City Manager

**FROM:** Neil C. Miller, Director of Public Works  
 Dana Greenwood, City Engineer  
 Edward Kao, Senior Civil Engineer

**DATE:** October 17, 2006

**SUBJECT:** Disbursement of Progress Payment No. 5 in the net amount of \$50,035.38 to Williams Pipeline Contractors, Inc.; Change Order No. 1 in the net amount of \$10,603.67; and Supplemental Appropriation (\$10,700) from the Water Fund for the 2002-03 Water Main and 2003-04 Sewer Main Replacement Project

**RECOMMENDATION:**

Staff recommends that the City Council pass a motion to approve the issuance of the subject progress payment, change order and supplemental appropriation.

**FISCAL IMPLICATION:**

PROJECT	FUNDING	CONTRACT	P.P.#	AMOUNT
2002-03 Water Main	Water Fund	\$675,792.00	1.	\$131,548.50
2003-04 Sewer Main	Wastewater Fund	Change Order #1:	2.	\$276,789.78
		\$ 10,603.67	3.	\$141,875.28
		New Contract:	4.	\$ 17,507.16
		\$686,395.67	5.	\$ 50,035.38
			Total:	\$617,756.10

**DISCUSSION:**

***Change Order No. 1***

During the construction period, the following additional work was added to the contract:

- Construction survey for the entire project.
- Removal of buried concrete next to new construction.
- Repaired damaged water service.
- Reconnected laterals that were not shown in record drawings.
- Additional grinding and paving for 21<sup>st</sup> Street.
- Removed existing asphalt and replaced with concrete at 35<sup>th</sup> Street/Bayview and on 35<sup>th</sup> Street between Ocean and Manhattan Avenue.

This additional work resulted in a net increase of \$10,603.67 to the contract cost. The new contract amount will be \$686,395.67.

Staff has determined that 102 additional extra cost claims filed by the Contractor were without merit (totaling approximately \$440,000). These claims may end up in litigation.

***Supplemental Appropriation***

As a result of Change Order No. 1, staff is requesting Council to approve a supplemental appropriation in the net amount of \$10,700.00 from the Water Fund. There are sufficient funds available in the Water Fund budgeted for this project.

***Progress Payment No. 5***

The Contractor has completed 99% of the construction contract. Work accomplished since the last progress payment includes:

- Grinding of 21<sup>st</sup> Street from Highland Avenue to Grandview Avenue.
- Cap paving of 21<sup>st</sup> Street and 36<sup>th</sup> Street.
- Completion of a portion of the punch list items.

The Contractor is currently working on the remaining items on the punch list. There is still approximately 1% of the work remaining, which includes re-striping a pedestrian crossing, repainting red "NO PARKING" and exposing a paved-over gate valve.

The Contractor has submitted a request for Progress Payment No. 5 in the net amount of \$50,035.38. All work items covered by this payment have been reviewed by the Public Works Department and found to be in conformance with the plans and specifications.

xc: Henry Mitzner, Controller  
Robert V. Wadden, Jr., City Attorney