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**Title:** CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE PUBLIC WORKS AGREEMENT BETWEEN THE CITY OF CARSON AND TAFOYA & ASSOCIATES (C-21-014) FOR UNDERGROUND STORAGE TANK REPAIRS AND CONSIDER RESOLUTION NO. 21-169 "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2021-22 BUDGET IN THE GENERAL FUND"

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**Attachments:** 1. Tafoya Contract, 2. Resolution 21-169- Tafoya, 3. Amendment No. 1 - Tafoya Associates

Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, January 18, 2022

Consent

**SUBJECT:**

**CONSIDER APPROVAL OF AMENDMENT NO. 1 TO THE PUBLIC WORKS AGREEMENT BETWEEN THE CITY OF CARSON AND TAFOYA & ASSOCIATES (C-21-014) FOR UNDERGROUND STORAGE TANK REPAIRS AND CONSIDER RESOLUTION NO. 21-169 "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2021-22 BUDGET IN THE GENERAL FUND"**

**I. SUMMARY**

On January 26, 2021, the City entered into a Public Works Agreement with Tafoya & Associates ("Agreement") for provision of services that would repair the underground storage tank at City Hall to get into compliance with mandates of the Los Angeles County Fire Department and other governing agencies (Exhibit No. 1). The contract term was set for one year ending January 26, 2022, to match the time estimated as needed to complete the work.

As part of a change required by Los Angeles County Public Works in the design phase, and after it was determined that additional time and money were needed to complete the project, Public Works staff working with the City Attorney's Office sought to identify options

for moving forward that would not jeopardize the City's responsibilities related to repairing the underground storage tank. Staff is now seeking City Council approval to amend the Agreement to extend the term for three (3) months with Tafoya & Associates to continue its services to complete the underground storage tank project and increase compensation by \$9,573.00 for a total not-to-exceed contract sum of \$49,324.00 (Exhibit No. 2). In addition, Public Works staff is requesting an additional \$15,000 for contingency funds in case there are any unforeseen issues discovered during excavation and construction underground, bringing the total project budget to \$64,324.00.

## **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE Amendment No.1 to the Public Works Agreement by and between the City of Carson and Tafoya & Associates to (1) increase the contract sum by \$9,573.00, such that the total cost of the Agreement does not exceed \$49,324.00 and (2) extend the Agreement term by three (3) additional months to end on April 26, 2022.
2. AUTHORIZE the expenditure of construction contingency, if necessary, in the amount not to exceed \$15,000.00 for unforeseen underground construction activities that may be encountered during construction, and the corresponding bond amount to complete the work.
3. ADOPT Resolution No. 21-169 "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2021-22 BUDGET IN THE GENERAL FUND." (Exhibit No.3)
4. AUTHORIZE the Mayor to execute Amendment No. 1 following approval as to form by the City Attorney.

## **III. ALTERNATIVES**

DO NOT APPROVE Amendment No. 1.

TAKE another action the City Council deems appropriate and consistent with the requirements of the law.

## **IV. BACKGROUND**

On January 24, 2020, the County of Los Angeles Waste Control Engineering Inspector for the Environmental Program Division inspected and tested the City Hall underground storage tank. The tank annular testing, secondary pipe testing, and pipe sump testing all failed. As a result, staff determined that a Request for Proposals (“RFP”) for the repair of the underground storage tanks was appropriate and RFP No. 20-031 was released on October 1, 2020 to seek proposals from qualified contractors to provide repair services for the underground storage tank located at City Hall. In response to the RFP the City received two (2) proposals. After careful analysis and evaluation of the proposals, it was determined that Tafoya & Associates was the lowest responsive and responsible bidder. On January 26, 2021, the City entered into a Public Works Agreement (“Agreement”) with Tafoya & Associates to provide services that would repair the underground storage tank to get into compliance with mandates of the Los Angeles County Fire Department and other governing agencies; the scope of services primarily includes installation of two (2) new double-wall rigid piping lines, cut-back of existing piping, and removal of existing penetrations inside the piping sump.

During the permit application and plan review process, it was determined by Los Angeles County Public Works that a change in the design would need to be made for a permit to be issued to begin construction. The change in the scope of work includes but is not limited to: sawcut and break out concrete from existing piping containment sump to the loading dock wall, tunnel from loading dock wall to existing day tank area and install double wall underground supply and return lines. Once the repair has been made, the underground storage tank will comply with all local/state/federal requirements. This additional work is estimated to cost \$9,573.00.

Furthermore, as a precautionary measure, staff has developed a contingency plan that will help forecast any disruptions to operations and be financially prepared for such situations. The recommended \$15,000 construction contingency fund would be used to cover the cost of unforeseen work, such as corroded piping, conduit and any additional bonds required of the contractor that are necessary to complete the work.

Therefore, City and Contractor now desire to amend the existing Agreement to extend the term for 3 months to complete the repair for the underground storage tank, and increase compensation by \$9,573.00 to cover the remaining services for a total not-to-exceed contract sum of \$49,324.00.

## **V. FISCAL IMPACT**

Additional funds for this project were not included in the FY 2021/22 budget; therefore, if the contract amendment is awarded and the contingency is approved, the project budget will need to be increased by \$24,573.00 for a total of \$64,324 to cover the additional compensation and the \$15,000 construction contingency. Funds would be appropriated by resolution from the unreserved, undesignated general fund balance to account no. 101-80-840-102-6004.

## **VI. EXHIBITS**

1. Tafoya & Associates Contract 21-014 (pgs. 4 - 51)

2. Tafoya & Associates - Amendment #1 (pgs. 52 - 60)
3. Resolution No. 21-169 (pgs. 61 - 62)

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