



STAFF REPORT

CITY COUNCIL OF THE CITY OF SAUSALITO

AGENDA TITLE:

Approving Issuance of a Negotiated Purchase Order to Marin Municipal Water District for Provision of New Water Services to the Public Safety Facilities

RECOMMENDED MOTION:

Adopt a Resolution of the City Council of the City of Sausalito Approving and Authorizing the City Manager to Issue a Negotiated Purchase Order to Marin Municipal Water District for Provision of New Water Services to the Public Safety Facilities

SUMMARY

The Public Safety Facilities (PSF) will require new water services from the Marin Municipal Water District (MMWD). The MMWD has prepared a cost estimate for the necessary work with two alternatives. Staff, the City's Construction Manager, Swinerton Management & Consulting, and Alten Construction have evaluated MMWD's cost estimate, the alternatives provided by MMWD and other alternatives and concluded that issuing a purchase order to MMWD for all of the necessary work outside the scope of Alten's current contract for construction of the PSF will provide the best value to the City of Sausalito. Because the cost to provide said services will be more than \$15,000, Council approval is required as provided for under Sausalito Municipal Code (SMC) Section 3.30.320. Because the connection fees and materials portions of the project are payable to the MMWD irrespective of which project delivery alternative is selected, the Director of Public Works (as project engineer for this specific task) has determined in compliance with the guidelines established by the California Uniform Construction Cost Accounting Commission that "the cost of the public work" is \$27,042 and a negotiated contract or purchase order is permitted under SMC§3.30.320 as modified by the State Public Contracts Code¹. The total amount requested is \$36,594 as indicated on the attached estimate from the MMWD dated May 4, 2009.

ISSUES

No outstanding issues not discussed above have been identified.

¹ The most recent adjusted amount is \$30,000 (April 29, 2005, Office of the State Controller, Bid Limits).

FISCAL IMPACT

PSF Bond funds are available and were budgeted for these services in the amount of \$36,594.

STAFF RECOMMENDATIONS

Adopt a Resolution of the City Council of the City of Sausalito Approving and Authorizing the City Manager to Issue a Purchase Order to Marin Municipal Water District for Water Services to the Public Safety Facilities

ATTACHMENTS

1. Resolution of the City Council of the City of Sausalito Approving and Authorizing the City Manager to Issue a Purchase Order to Marin Municipal Water District for Water Services to the Public Safety Facilities
2. MMWD Estimated Cost dated May 4, 2009

PREPARED BY:
Director of Public Works



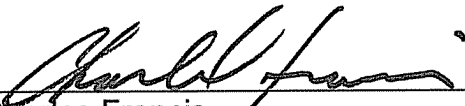
Jonathon Goldman

REVIEWED BY:
SMC Project Manager



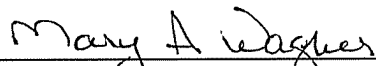
Loren Umbertis

REVIEWED BY:
Administrative Services Director/Treasurer



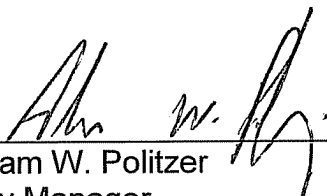
Charles Francis

REVIEWED BY:
City Attorney



Mary Anne Wagner, Esq. (EP)

SUBMITTED BY:



Adam W. Politzer
City Manager

RESOLUTION No. _____

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAUSALITO APPROVING
AND AUTHORIZING THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO
MARIN MUNICIPAL WATER DISTRICT FOR WATER SERVICES TO THE PUBLIC
SAFETY FACILITIES**

WHEREAS, the City and its consultants and contractors are presently engaged in the construction of the Public Safety Facilities Project; and

WHEREAS, the City wishes to provide new water services to the new facilities; and

WHEREAS, the Marin Municipal Water District is the sole vendor or distributor of potable water in the City; and

WHEREAS, the Marin Municipal Water District provided alternatives for provision of the necessary water services to the Public Safety Facilities Project; and

WHEREAS, the contract for construction of said Public Safety Facilities does not include connection fees, and other materials that can solely be acquired from the Marin Municipal Water District of estimated cost totaling \$9,552; and,

WHEREAS, the contract for construction of said Public Safety Facilities does not include other labor that can be acquired from the Marin Municipal Water District or others; and,

WHEREAS, the Marin Municipal Water District has provided alternate proposals for provision of the desired water services for an estimated total cost not to exceed \$36,594 including the sole-source materials and fees described above; and

WHEREAS, Staff has evaluated the alternatives to the proposed purchase from the Marin Municipal Water District and finds that the Marin Municipal Water District's proposal provides the best value to the City in acquiring the necessary services; and

WHEREAS, the Director of Public Works (as project engineer for this specific task as part of Public Safety Facilities construction) has determined in compliance with the guidelines established by the California Uniform Construction Cost Accounting Commission that "the cost of the public work" is \$27,042 and that a negotiated contract or purchase order is permitted under SMC§3.30.320 as modified by the State Public Contracts Code; and

WHEREAS, the funds available from Bond Proceeds are adequate to provide for the costs under either of the proposed Agreements.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Sausalito:

1. Approves the attached Estimated Cost proposal from the Marin Municipal Water District incorporated by reference herein for the services described therein as "Method B" and for a sum not to exceed \$36,594 which shall not be exceeded without express approval.

2. Authorizes the City Manager to issue a Purchase Order and any other similar confirmation on behalf of the City subject to the sum approved above.

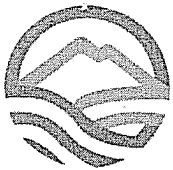
PASSED AND ADOPTED at a regular meeting of the City Council of the City of Sausalito on the 9th day of June, 2009 by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSTAIN: Councilmembers:
ABSENT: Councilmembers:

MAYOR OF THE CITY OF SAUSALITO

ATTEST:

DEPUTY CITY CLERK



MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue Corte Madera CA 94925-1169
www.marinwater.org

RECEIVED

MAY - 8 2009

CITY OF SAUSALITO

May 4, 2009
Map 021-05

Loren Umbertis
City of Sausalito
420 Litho St
Sausalito CA 94965

Re: Estimated Cost- Fireline Connection and Service Installation
Sausalito Public Safety Facilities – Caledonia and Johnson Sts., Sausalito

Dear Mr. Umbertis:

The following are the conditions and estimated costs, for the installation of a 1" service, 2 – 6" fireline connections and the termination of 1 – 2", 1 – 1" and 2 – ¾" taps at the water main.

Method A: Installation Made by Contractor		Method B: Installation made by District
COSTS	BONDS AND INSURANCE TO BE PROVIDED BY APPLICANT/CONTRACTOR	COSTS
Material \$5,748	1. Performance Bond 2. Maintenance Bond 3. Workers Compensation Insurance 4. Public Liability Insurance	Material \$5,748
District Labor (Inspection) \$6,256		Labor \$20,188
District Equipment (Vehicles and TAP) \$1,470		Equipment \$6,854
Connection Fees \$3,804		Connection Fees \$3,804
Total <u>\$17,278</u>	plus cost of Contractor, Bonds and insurance	Total <u>\$36,594</u>

The estimated costs listed under Method A are based on your retaining a contractor to perform the work. The estimated costs, bonds and insurance requirements listed, are for the District to furnish material and inspect the installation. The costs of installation agreed upon by the applicant and the contractor are not included. The estimated costs listed under Method B are for District crews providing all required labor, equipment and materials, including street restoration. Neither estimate includes the cost of the detector check valves which are to be supplied by applicant.

It is understood that these are only estimates and final charges will be made on the actual cost of installation. Any subsequent change in costs and fees or in the nature of the project between this writing and approval of an agreement will be reflected at that time.

The connection fee reflected in the cost estimated is based on an estimated annual consumption of 0.62 acre-feet for the Fire Station and 0.10 acre-feet for the Police Station. The property's current annual water entitlements are 0.50 acre-feet and 0.09 acre feet respectively. The applicant may choose to transfer the necessary entitlement from another eligible service. The transfer request must be in writing and be completed prior to construction. The estimated cost does not reflect the additional water entitlement necessary to serve landscape irrigation. The District must review and approve the project's plans for planting and irrigation systems. Upon acceptance of said plans the District will determine if the purchase of additional water entitlement and/or the installation of an additional service will be required. The connection fee must be paid prior to services being installed.

Please note, in order to avoid delays due to the lead time required for materials (see time conditions), the material deposit of \$5,748 can be forwarded prior to selection of either party performing the work. When it has been decided which party will make the installation, the remaining estimated costs are to be paid by check or cash to the District. Note that a bimonthly standby charge of \$59.28 will be made for each fireline connection after its activation.

RESPONSIBILITIES:

The Applicant will be required to obtain all permits required by the City of Sausalito.

No work will commence until the detector check valve is on the job site and ready for installation and the easement has been staked. The new meter location must also be marked prior to installation.

INSTALLATION UNDER METHOD A:

If a contractor makes this installation, the Contractor or Applicant will be required to supply a two (2) year maintenance bond in the amount of \$6,761 to the District. Before commencement of work, the contractor must sign an installation agreement and furnish the District with certificates of insurance indicating the following minimum requirements:

1. Workers' Compensation Insurance coverage.
2. Public Liability coverage of not less than \$1,000,000 combined single limit.
3. The Policy shall specifically name Marin Municipal Water District, its officers, officials, agents, employees and volunteers as an additional insured and shall provide

488
6

that said coverage is primary to any insurance carried by the District.

4. Not less than 60 days written notice prior to cancellation.

The applicant must also sign the Installation Agreement, deposit \$17,278 for the estimated cost of materials, inspection, and connection fees, and post a performance bond, certificate of deposit or check in the amount of \$27,042 before the job starts.

INSTALLATION UNDER METHOD B:

In the event District forces are to do the work, the applicant must sign an Installation Agreement and deposit \$36,594 for the estimated cost of materials, labor, equipment and connection fees. Approximately 60 days should be allowed between our receipt of the deposit and actual installation.

The street connection should be made prior to any piping being installed on the consumer's side of the detector check valves and meter due to the fact that our crew will be working in the public right-of-way and may experience conflict with other utilities.

TIME CONDITIONS:

Costs are computed upon prices and conditions prevailing as of the date of this letter and if not acted upon within 60 days of such date, these estimates will be void.

Due to the fact that the District has a limited inventory of stock on hand, as have our suppliers, 120 days may be required from receipt of the deposit to obtain specialty fittings.

YOUR ATTENTION is directed to the fact that an Installation Agreement between the District and yourself must be completed prior to commencement of the work. If the work is performed by your contractor, the Contractor will be included as a third party in the installation agreement. Upon notification of who you wish to perform the installation, we will draft the agreement for signatures.

Please note that it is the applicant's responsibility to provide the District with a written request for activation of the firelines.

Following completion and acceptance of the facilities covered by the Installation Agreement, the facilities will become the property of the District except that the detector check valves and all piping on the owner's side of this valve; and the bypass piping up to the Owner's side of the bypass meter shall be owned and maintained by the owner.

If you have any questions regarding this matter, please contact me at (415) 945-1531.

Very truly yours,



Joseph Eischens
Engineering Technician
JE:dh