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# CITY OF POMONA COUNCIL REPORT

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August 3, 2020

To: Honorable Mayor and Members of the City Council

From: James Makshanoff, City Manager

Submitted By: Chris Diggs, Water Resources Director, and  
Rene Guerrero, Public Works Director

**SUBJECT: ADOPT A RESOLUTION AMENDING THE FY 2020-21 CAPITAL IMPROVEMENT PROGRAM BUDGET BY APPROPRIATING \$74,669 OF AVAILABLE SERIES "BE/BF" WATER BOND PROCEEDS TO THE "STREET PRESERVATION – LOCAL - CITYWIDE (FY 19-20)" PROJECT NO. 428-2590-XXXXX-68561; AND APPROVE ADDITIONAL CHANGE ORDER AUTHORITY**

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## **RECOMMENDATION:**

It is recommended that the City Council take the following actions:

- 1) Adopt the following resolution:

**RESOLUTION 2020-117 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF POMONA AMENDING THE FY 2020-21 CIP BUDGET, BY APPROPRIATING \$74,669 OF AVAILABLE SERIES "BE/BF" WATER BOND PROCEEDS TO THE "STREET PRESERVATION – LOCAL – CITYWIDE (FY 19-20)", PROJECT NO. 428-2590-XXXXX-68561;**

- 2) Approve an additional \$74,669, 4% change order authority for the Gentry Brothers, Inc. (Gentry) construction contract bringing the total contingency authority up to \$280,010, which is approximately 15% of the awarded contract. (This new contingency amount is requested for change orders related to the water bond funding being appropriated and is only available to be used for the water related change order items.); and
- 3) Authorize the City Manager to execute the necessary agreement amendments, as needed.

## **EXECUTIVE SUMMARY:**

Staff is seeking approval of a resolution to approve a budget amendment, attached herewith as Attachments No. 1, and approval of an increase in contingency authority for the contract with Gentry Brothers, Inc. to complete paving repairs for pipeline repair patches.

**FISCAL IMPACT:**

Funding for the project is available from Series “BE/BF” Water Bond proceeds. The amount of \$74,669 to be appropriated to the “Street Preservation – Local - Citywide (FY 19-20),” Project No. 428-2590-XXXXX-68561 to cover funding for the Water related change orders and any expenses resulting from the Water-related change orders. From the \$74,669, staff will issue Construction Change Order (CCO) No. 1 in the amount of \$38,516. Additional CCO’s will be issued as the construction work is identified in the field and agreed by staff. The new contingency amount will bring the total contingency authority up to \$280,010, which is approximately 15% of the total contract. Table 1 below summarizes the fiscal impact for the recommended actions:

**Table 1**

<b>Category</b>	<b>“Street Preservation – Local - Citywide (FY 19-20)” Project No. 428-2590-XXXXX-68561</b>
Initial Budget	\$2,686,874
Appropriation of available Series “BE/BF” Water Bond proceeds	\$74,669
Revised Budget	\$2,761,543
Expenditures/Encumbrances (as of July 22, 2020)	(\$2,217,536)
Gentry Bros. Inc. contract contingency increase	(\$74,669)
Remaining balance	\$469,338

**PREVIOUS RELATED ACTION:**

On June 3, 2019, City Council approved the City’s 2019-20 Operational and Capital Improvement Program Budget. The “Street Preservation – Local – Citywide (FY 19-20)”, Project No. 428-2590-XXXXX-68561 was included as part of the Council budget approval. On April 20, 2020, \$220,000 of SB-1/RMRA funds were un-appropriated from “Street Preservation – Local Citywide (FY 18-19),” Project No. 428-2590-XXXXX-68560 and re-appropriated to “Street Preservation – Local Citywide (FY 19-20),” Project No. 428-2590-XXXXX-68561. At that time, Gentry Brothers Inc. was awarded a construction contract in the sum of \$1,866,732.42. Additionally, City Council authorized change order authority of \$205,341 (11%), as funds allow, per City Code 2-1003(1)(L). An additional \$300,000 of SB-1/RMRA funds were appropriated to “Street Preservation – Local Citywide (FY 19-20),” Project No. 428-2590-XXXXX-68561 with the adoption of the FY 2020-21 CIP Budget.

**ENVIRONMENTAL IMPACT:**

This project is categorically exempt under Section 15301(c) and statutorily exempt under Section 15282 (k) of the California Environmental Quality Act as the project being completed is an existing public street involving no expansion, and is the replacement of a pipeline less than one mile, respectively.

**DISCUSSION:**

As part of a recent paving project Public Works was completing, Water Resources staff requested additional paving be completed to address utility pavement cuts within the project site. This additional construction effort, including materials, required additional funding of \$74,669. The additional needed appropriation of \$74,669 is available from Series “BE/BF” Water Bond proceeds for the “Street Preservation – Local - Citywide (FY 19-20)” Project No. 428-2590-XXXXX-68561. This new contingency amount is requested for change orders related to the water bond funding being appropriated and is only available to be used for the water related change order items.

This contingency amount is being requested due to multiple Water Resources infrastructure replacements. Over seventy temporary pavement cuts have been installed due to water infrastructure repair and replacement that have occurred over the past few years. Due to Gentry now installing permanent pavement within the same affected public right-of-way, Water Resources is requesting the existing pavement cuts to be part of the overall pavement project. The completion of the proposed change order work from Gentry will ensure permanent pavement repairs that are consistent with the quality of the overall right-of-way improvements.

Prepared by:

Nichole Horton  
Senior Water Resources Engineer

**ATTACHMENT:**

Attachment 1 – Resolution No. 2020-117