

RESOLUTION NO. 070397

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
ACTING AS THE GOVERNING BOARD OF THE FAIR OAKS SEWER
MAINTENANCE DISTRICT

* * * * *

RESOLUTION:

1. ADOPTING THE PLANS AND SPECIFICATIONS FOR THE RUTHERFORD AVENUE SANITARY SEWER REHABILITATION PROJECT DATED AUGUST 17, 2009, INCLUDING CONFORMANCE WITH PREVAILING WAGE SCALE REQUIREMENTS; AND
2. AWARDING AND AUTHORIZING EXECUTION OF A CONTRACT WITH MCNAMARA & SMALLMAN CONSTRUCTION INC., IN THE AMOUNT OF \$187,700.00 FOR THE ENTIRE WORK; AND
3. AUTHORIZING THE DIRECTOR OF PUBLIC WORKS FOR QUANTITY ADJUSTMENT COMPENSATION AND TO ISSUE CHANGE ORDERS UP TO A MAXIMUM AGGREGATE AMOUNT OF \$30,000, OR APPROXIMATELY 15% OF THE CONTRACT AMOUNT; AND
4. AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO FILE A NOTICE OF EXEMPTION FOR A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) CATEGORICAL EXEMPTION.

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the governing board of the Fair Oaks Sewer Maintenance District, that

WHEREAS, this Board of Supervisors did, on January 23, 2007, adopt **Resolution No. 068509**, which authorized the Director of Public Works to develop plans and specifications and to call for bids for the types of projects identified in said resolution; and

WHEREAS, plans and specifications, dated August 17, 2009, were prepared and approved by the Director of Public Works for the Rutherford Avenue Sanitary Sewer Rehabilitation Project; and

070397

WHEREAS, Public Works staff has determined that this project qualifies for a Categorical Exemption pursuant to Section 15301 of the Guidelines for Implementation of the California Environmental Quality Act (CEQA); and

WHEREAS, a schedule of prevailing wage scales for each craft or type of workman needed to execute these plans and specifications in the locality in which said work is to be performed has been established by the Department of Industrial Relations and has been referred to in said plans and specifications; and

WHEREAS, the Department of Public Works did issue a call for sealed proposals to be received at the office of the County Manager / Clerk of the Board of Supervisors, Hall of Justice and Records, 400 County Center, Redwood City, California, until the hour of 2:30 p.m., Wednesday, September 9, 2009; and

WHEREAS, the Department of Public Works did cause the notice inviting sealed proposals to be published two (2) times in the Independent Newspaper Group, a newspaper printed and published in this County, and obtained an affidavit of said publication; and

WHEREAS, the Clerk of this Board of Supervisors did, in public on September 9, 2009 at 2:30 p.m., open and examine all sealed proposals that were received in the specified time for the doing of the work referred to in said plans and specifications; and

WHEREAS, this Board of Supervisors has caused an analysis of said proposals to be made by the Director of Public Works of the County of San Mateo, and has, in open session, fully reviewed and considered said proposals and the analysis thereof; and

WHEREAS, the lowest responsible bid was submitted by **McNamara & Smallman Construction Inc.**, in the amount of **One Hundred Eighty Seven Thousand Seven Hundred and No/100 Dollars (\$187,700.00)** based on an estimate of the amount of work to be done:

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

1. The plans and specifications dated August 17, 2009 for the aforesaid project are hereby approved and are adopted as the plans and specifications to be adhered to in letting and performing the work under a contract for said improvements.
2. It is to the best interest of the County of San Mateo to award the contract for the construction of the **Rutherford Avenue Sanitary Sewer Rehabilitation Project (Project No. SF014, File No. F-351 [3B])** to:

**McNamara & Smallman Construction Inc.
1756 Holmes Street
Livermore, CA, 94550**

3. The County of San Mateo shall enter into a written agreement with **McNamara & Smallman Construction Inc.** for the completion of said work as required by the plans and specifications, as hereinbefore mentioned, which plans and

070397

specifications are on file in the office of the Director of Public Works of the County of San Mateo.

4. On behalf of the County of San Mateo, the President of this Board of Supervisors shall be, and is hereby, authorized and directed to enter into an agreement with **McNamara & Smallman Construction Inc.**, for the doing of said work described herein, subject to the Department of Public Works' receipt and approval of the Faithful Performance Surety Bond and the Payment Bond required to be posted by said Contractor with the County of San Mateo in connection therewith.
5. All payments to the Contractor shall be in accordance with the plans, specifications, and other contract documents, based on the Director of Public Works' written estimates of work actually done.
6. The Director of Public Works is hereby authorized to make quantity adjustments and issue change orders related to the said work not exceeding \$30,000 in aggregate.
7. All payment to the Contractor shall be in accordance with the Plans and Specifications, and other contract documents. Aggregate payment to the Contractor shall not exceed **Two Hundred Seventeen Thousand Seven Hundred and No/100 Dollars (\$217,700.00)** without this Board's approval.

070397

8. The Director of Public Works is hereby directed to file a Notice of Exemption for a CEQA Categorical Exemption for the Rutherford Avenue Sanitary Sewer Rehabilitation Project.

9. The Clerk of the Board of Supervisors, County of San Mateo, is hereby authorized and directed to attest the signature of the President of this Board of Supervisors to said written contract.

* * * * *

Regularly passed and adopted this 29th day of September, 2009.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

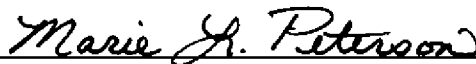
NONE



*President, Board of Supervisors
County of San Mateo
State of California*

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



*Marie L. Peterson, Deputy
Clerk of the Board of Supervisors*

070397