

## **RESOLUTION NO. .**

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA  
ACTING AS THE GOVERNING BOARD OF COUNTY SERVICE AREA NO.11**

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**RESOLUTION AMENDING THE CONSTRUCTION AGREEMENT WITH FORT  
BRAGG ELECTRIC, INC., FOR THE COUNTY SERVICE AREA NO. 11 WATER  
SUPPLY AND SUSTAINABILITY PROJECT, INCREASING THE “NOT-TO-EXCEED”  
AMOUNT BY \$135,000, FOR A NEW, NOT-TO-EXCEED AMOUNT OF \$1,392,000**

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**RESOLVED**, by the Board of Supervisors of the County of San Mateo, State of California, acting as the Governing Board of County Service Area No.11, (CSA 11), that

**WHEREAS**, Proposition 84 (Prop. 84), the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act, which was approved by California voters in November 2006, contains a total of \$5.39 billion for water and natural resource projects and programs. This included \$1 billion for Integrated Regional Water Management (IRWM) Plans with \$138 million specifically allocated to the San Francisco Bay Area. Projects funded by Prop. 84 grant funds must be consistent with (i.e. included in) an IRWM Plan; and

**WHEREAS**, this Board of Supervisors did, on December 11, 2012, adopt Resolution No. 072314, which approved an Appropriation Transfer Request in the amount of \$150,000 to fund work required to submit a project proposal package for Prop. 84 funding to improve the County Service Area No. 11 (CSA 11) Pescadero Community Water System; and

**WHEREAS**, this Board of Supervisors did, on February 26, 2013, approve the adoption of the San Francisco Bay Area IRWM Plan (Bay Area IRWMP) and authorized the Director of Public Works, or his designee, to execute and submit all documents,

which may be required to submit projects to the Bay Area IRWMP for funding. The Department subsequently submitted all required documents for the “Pescadero Water Supply and Sustainability Project” (Project) to the Bay Area IRWMP; and

**WHEREAS**, on March 28, 2013, the Association of Bay Area Governments (ABAG), acting on behalf of the San Francisco Estuary Partnership (SFEP) - a project sponsored by ABAG, applied for Prop. 84 funding from the State of California Department of Water Resources (DWR) for projects in the Bay Area IRWMP. The funding proposal titled, “San Francisco Bay Regional Water Enhancement Program” (Program) included a request for funding of 20 local, subregional, and regional projects located within the San Francisco Bay Area IRWM region, including the Pescadero Water Supply and Sustainability Project. On February 14, 2014, DWR announced that the Program filed by ABAG was selected for Prop. 84 funding; and

**WHEREAS**, this Board of Supervisors did, on June 17, 2014, adopt Resolution No. 073230 adopting the updated 2013 Bay Area IRWMP as required to receive Prop. 84 funding. On July 16, 2014, DWR and ABAG entered into Agreement No. 4600010575 (Grant Agreement), which awarded ABAG a \$20 Million State grant for the Program; and

**WHEREAS**, this Board of Supervisors did, on November 4, 2014, adopt Resolution No. 073484 authorizing the execution of a Local Project Sponsor Agreement with ABAG for the Pescadero Water Supply and Sustainability Project (Project) in the amount of \$700,000 under the Grant Agreement; and

**WHEREAS**, this Board of Supervisors did, on February 14, 2017, adopt

Resolution No. 075018 adopting the plans and specifications, including conformance with prevailing wage scale requirements, and authorizing the Director of Public Works to call for sealed bids for the Project; and

**WHEREAS**, this Board of Supervisors did, on April 11, 2017, adopt Resolution No. 075124, which authorized an agreement for construction of the Project by Fort Bragg Electric, Inc., with a not to exceed amount of \$1,257,000, based on the contractor's bid amount \$1,142,890, and authorized the Director of Public Works to execute contract change orders in an amount not to exceed \$114,110; and

**WHEREAS**, unanticipated conditions discovered during construction and additional permit requirements imposed upon the Contractor have led to a determination that the original "not-to-exceed" amount will not be sufficient to complete the Project; and

**WHEREAS**, the cost of the additional contract work for the Project is approximately \$135,000 and the Director of Public Works is recommending that the "not-to-exceed" amount of the contract be increased to \$1,392,000; and

**WHEREAS**, this Board has considered and concurs with the recommendation of the Director of Public Works.

**NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED** that the Director of Public Works' authority to execute change orders (contract amendments) to the contract with Fort Bragg Electric, Inc., for the County Service Area No. 11 Water Supply and Sustainability Project is hereby increased by an additional \$135,000, to a

new “not-to-exceed” amount of \$1,392,000, in order to allow for payment of unanticipated project costs.

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