

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BEB*
DATE: May 18, 2007

AGENDA ITEM
C-5
MAY 23, 2007

AMEND WATER & SEWER MASTER PLAN AGREEMENT

ITEM

Amend Cannon Water and Sewer Master Plan Agreement to extend time and delete incorporation of Supplemental Water Project Recommendations [RECOMMEND ADOPTION].

BACKGROUND

Cannon has submitted the attached letter requesting that the Board amend the agreement to revise the time deadlines and to delete the scope provisions related to incorporation of Boyle's Supplemental Water Project recommendations.

The Board should note that this is a "No-Cost" amendment and any reductions in the services provided will be reflected in the time and materials invoices.

RECOMMENDATION

Staff believes that both requests are reasonable given the extra time needed to agree on the demand projections and the need for extra study of supplemental water options. Staff recommends that your Honorable Board authorize the President to execute an amendment to the agreement as proposed in Cannon's letter.

ATTACHMENT

- CANNON PROPOSAL

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ENGINEERS
PLANNERS
SURVEYORS

May 16, 2007

Mr. Bruce Buel
General Manager
Nipomo Community Services District
148 S. Wilson Street
Nipomo, CA 93444

**PROJECT: NCSD WATER AND SEWER MASTER PLAN UPDATE
REQUEST FOR TIME EXTENSION – WATER & SEWER USE FACTORS**

Dear Bruce:

The purpose of this letter is to request a three month time extension to our original contract term as a result of revising and updating the water demand and sewer load projections to reflect District provided water-use data (Contract Amendment No. 1). This process occurred during the three month period between December 2006 to February 2007 whereby we discussed and resolved our projections.

We believe our effort on this additional work warrants an extension of time and are hereby requesting a time extension. We have included an Additional Services Request form which outlines this request. If this meets your approval, please sign and return to our office.

If you have any questions regarding the additional services please do not hesitate to give me a call.

Sincerely,

Larry P. Kraemer, PE
Senior Civil Engineer

364 Pacific Street
San Luis Obispo, CA 93401
Tel: 805-544-7407
Fax: 805-544-3863



ENGINEERS
PLANNERS
SURVEYORS

REQUEST FOR ADDITIONAL SERVICES

Project Name: NCSD Water and Sewer Master Plan Update

Date: May 16, 2007 Client: Nipomo Community Services District

Job No. 060801

Description of Services:

Extend the contract term three months for the additional effort required to revise and resolve the water demand and sewer load projections.

Costs: No change.

Contract Time: Three month extension to the original contract term.

Authorization:

In witness whereof, the parties hereto have caused this agreement consisting of the Request for Additional Services, the original signed services agreement, and any other necessary and applicable documents to be executed of the date and year first above written.

Client: NCSD


Cannon Associates

Bruce Buel
General Manager

Michael F. Cannon
President

Date: _____

Date: _____

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL 
DATE: May 18, 2007

AGENDA ITEM
C-6
MAY 23, 2007

BLACK LAKE WWTF LINER REPLACEMENT CONSTRUCTION MANAGEMENT

ITEM

Authorize execution of agreement with Ground Up Construction to perform construction management services for Black Lake WWTF Liner Replacement Project [RECOMMEND ADOPTION].

BACKGROUND

On April 10, 2007 staff mailed out five "Request for Proposals" (RFPs) regarding Construction Management Services for the Black Lake WWTF Liner Replacement Project to the five firms pre-qualified to perform Construction Management Services for the District. Four firms responded by the May 10, 2007 deadline with Ground Up Construction submitting the lowest cost quote. Attached is a summary of the four quotes and a copy of Ground Up's submittal.

It should be noted that staff is negotiating with Garing Taylor and Associates regarding provision of Engineering Services During Construction (ESDC). GTA's proposal will be submitted for separate consideration.

RECOMMENDATION

Staff believes that Ground Up's proposal is responsive and Ground Up performed well in managing the Hetrick Project. Staff recommends that your Honorable Board authorize staff to execute a Task Order for Ground Up to perform the services set forth in the attached proposal on a time and materials basis with a not to exceed expenditure limit of \$10,600.

ATTACHMENT

- QUOTE SUMMARY
- GROUND UP QUOTE

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BLACK LAKE CONSTRUCTION MANAGEMENT BID SUMMARY

| CM Firm | QUOTE | COMMENTS |
|-----------|--------|----------------------------------|
| Boyle | 19,000 | Josh Reynolds & Frank Cunningham |
| Cannon | 12,600 | Clay Bradfield & Leroy Cadena |
| Ground Up | 10,600 | Rob Carnes |
| Wallace | 23,100 | Kit Carter & Rich Pavlich |



P.O. Box 1583, Paso Robles, CA 93447
phone 805.227.4159 fax 805.227.4159

May 9, 2007

Bruce Buel, General Manager
Nipomo Community Services District
148 South Wilson Street
Nipomo, Ca. 93444

Re: NCSD Request for Quote for Construction Management Services for Black Lake WWTF Pond Liner Replacement Project:

Ground Up Design & Construction Management (GU) has reviewed your "Request for Quote for Construction Management Services" and is pleased to following information:

Introduction and Understanding: The Nipomo Community Services District (NCSD) intends to replace the existing pond liner at the Black Lake WWTF. The plans have been developed by Garing & Taylor and Associates and are to be presented to the NCSD Board in late April or early May. The District anticipates that the Construction Manager will perform a plan check and constructability review prior to the plans being placed out to bid.

The project is expected to bid in June 2007, start construction in July 2007 and be completed by September 2007. The project budget is estimated at \$175,000.00.

The District is seeking a Time & Materials Not to Exceed Quote for Construction Management Services as outlined in the original RFP and in conformance with the project description provided in the RFQ.

The requirements of this specific project will be to provide a plan check / constructability review and review the cost estimate provided by Garing & Taylor Assoc. (G&T), assist with the bid proposal process, assist the District with verification of contractors bonds and insurance, assist in the Notice to Proceed process, perform the pre-construction meeting, provide submittal

ROBERT W. CARNES, Construction Manager
rwcarnes@earthlink.net

STACIE GLEIM, Project Manager
stacie@earthlink.net

management and then perform the day to day construction management and inspection of the project. Based on discussions with GTA staff, Bruce Buel, and the project budget we anticipate the construction duration to be approximately 25 working days.

GU takes no exceptions to the attached listing of services or the agreement and will assemble the costs for surveying and soils engineering services as required for the project as soon as the plans are available to provide to consultants for quotes.

The Construction Inspector and Construction Manager for this project will be Robert W. Carnes, his resume and background information was provided in the SOQ.

Fee: Based on my discussion with GTA Staff and Bruce Buell pertaining to the project and the construction time frame as provided in the RFQ we anticipate providing the following services with hours as shown:

1. Constructability plan review, 8 hours.
2. Construction Cost Estimate review, 8 hours.
3. Bid Administration and Assistance, 10 hours.
4. Construction Contract Management and Inspection (3 hours per day during construction activities (approx. 5 weeks)), 75 hours.
5. Administration Time is calculated as a percentage of total time.

The total hours anticipated for the project are 101 hours. Based on the above information Ground Up's Time & Materials Not to Exceed Fee for Inspection and Construction Management Services is \$10,600.00.

Ground Up Design & Construction Management Hourly Rates are as follows:

| | |
|-----------------------------------|---------|
| Construction Management Time: | \$90.00 |
| Construction Administration Time: | \$85.00 |
| Inspector of Record Time: | \$80.00 |

Included in the rates as stated above: Dell M70 lap top computer or better with appropriately licensed soft ware as follows: Word, Excel, Publisher, Outlook all 2003 version; Adobe Acrobat 7 Reader / Writer, Prolog Construction Management 6.1 and SureTrak 3.1, E/O Insurance, Automobile

ROBERT W. CARNES, Construction Manager
rwcarnes@earthlink.net

STACIE GLEIM, Project Manager
staciegleim@earthlink.net

Insurance, Health Insurance, Travel to and from the job site(s) in the Nipomo Area, Office overhead, Cell phone usage and general office supplies for GU specific use.

Not included in the above stated rates: Automobile mileage beyond travel to the job site, travel expenses including travel, room and board for trips associated with the work, reproduction of plans, specification and alike and postage. All costs stated above will be passed through with a 15% handling charge.

Ground Up Design & Construction Management, Inc looks forward to providing Construction Management Services to the District for this upcoming construction project.

Respectfully submitted,



Robert W. Carnes, President
Construction Manager, RCI 5291

ROBERT W. CARNES, Construction Manager
www.carnes@rci5291.com

STACIE GLEIM, Project Manager
staciegleim@rci5291.com

**BLACK LAKE WWTF LINER REPLACEMENT PROJECT
CONSTRUCTION MANAGEMENT QUOTE SHEET**

Date: 5/9/07

NAME OF FIRM: BROWNUP DESIGN & CONSTRUCTION MANAGEMENT, INC.

NAME OF PRINCIPAL: ROBERT W. CARNES

NAME OF CM TEAM LEADER: ROBERT W. CARNES

ADDRESS: P.O. BOX 1588, PRIMO ROBLES, CA. 93447

PHONE: 805-440-9888 FAX: 805-227-4159

E-MAIL: RWCARNES@EARTHLINK.NET

NOT TO EXCEED EXPENDITURE LIMIT FOR ALL FEES & CHARGES: \$10,600⁰⁰

Robert W. Carnes 5/9/07
Signature of Principal Authorized to Sign for Firm and Date

This quote shall be valid for 90 Days from the date of Signature

TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BBB*
DATE: May 18, 2007

**AGENDA ITEM
C-7
MAY 23, 2007**

CONTINUE CONSIDERATION OF TRACT 2688 ITS UNTIL AUGUST 22, 2007

ITEM

Continue consideration of Chestnut Villas Intent-To-Serve Letter application for mixed use complex at 166 & 186 North Thompson until August 22, 2007 Board Meeting [RECOMMEND ADOPTION].

BACKGROUND

The Board initially reviewed this application at its May 9, 2007 Board Meeting and continued this item to this meeting. The Board on May 9, 2007 directed District Legal Counsel to opine on the discretion available under the law to allocate water to other than Low Income Housing Projects when there was a limitation on available supply. Given District Legal Counsel's determination that Low Income Housing Projects have priority over other projects, staff believes that the Board will need to re-allocate water to fund this project and the Allocation Ordinance restricts such transfers until the middle of the last quarter of the Allocation Year. Thus, the earliest that the Board can consider this project would be the August 22, 2007 Board Meeting.

RECOMMENDATION

Staff recommends that the Board continue this item until the Board's August 22, 2007 Board Meeting.

ATTACHMENTS

- None

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TO: BOARD OF DIRECTORS
FROM: BRUCE BUEL *BB*
DATE: MAY 18, 2007



ACCEPTANCE OF WATER AND SEWER IMPROVEMENTS
TRACT 2513 (COOL) AND TRACT 2514 (NEWDOLL)

ITEM

Acceptance of water and sewer improvements for Tract 2513 and 2514 on South Frontage.

BACKGROUND

Upon completion of a developer project, the District accepts improvements of the project after all requirements have been met. The developer (Cool) for Tract 2513, a 7-lot development on South Frontage and the developer (Newdoll Construction) for Tract 2514 an 7-lot development on South Frontage have installed water and sewer improvements and have met the District's conditions:

- Installed the improvements
- Paid associated fees
- Provided the necessary paperwork, including the Offer of Dedication and the Engineer's Certification

RECOMMENDATION

Staff recommends that your Honorable Board adopt the following:

1. Resolution 2007 - Tr 2513 accepting the water and sewer improvements for Tract 2514,
2. Resolution 2007 - Tr 2514 accepting the water and sewer improvements for Tract 2513

ATTACHMENT

Resolution 2007- Tr 2513
Resolution 2007- Tr 2514

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**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2007-tract 2513**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 2513 (COOL)**

WHEREAS, the District approved the construction plans on August 16, 2005, for the water and sewer improvements to be constructed; and

WHEREAS, the water and sewer improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, the Owner offered the water and sewer improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all water and sewer fees for service, required in conformance with District ordinances, have been paid in full for Tract 2513 (Cool).

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

That the water and sewer improvements to serve Tract 2513 in Nipomo are accepted by this District.

On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 23rd day of May, 2007.

Michael Winn, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel

**NIPOMO COMMUNITY SERVICES DISTRICT
RESOLUTION NO. 2007-tract 2514**

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NIPOMO COMMUNITY SERVICES DISTRICT
ACCEPTING THE WATER AND SEWER IMPROVEMENTS
FOR TRACT 2514 (NEWDOLL)**

WHEREAS, the District approved the construction plans on August 16, 2005, for the water and sewer improvements to be constructed; and

WHEREAS, the water and sewer improvements have been constructed and said improvements are complete and certified by the engineer; and

WHEREAS, the Owner offered the water and sewer improvements to the Nipomo Community Services District; and

WHEREAS, this District has accepted such offer without obligation except as required by law, and

WHEREAS, all water and sewer fees for service, required in conformance with District ordinances, have been paid in full for Tract 2514 (Newdoll).

NOW, THEREFORE, BE IT RESOLVED, DETERMINED AND ORDERED BY THE BOARD OF DIRECTORS OF THE NIPOMO COMMUNITY SERVICES DISTRICT AS FOLLOWS:

That the water and sewer improvements to serve Tract 2514 in Nipomo are accepted by this District.

On the motion by Director _____, seconded by Director _____, and on the following roll call vote, to wit:

AYES:
NOES:
ABSENT:
ABSTAIN:

the foregoing resolution is hereby adopted this 23rd day of May, 2007.

Michael Winn, President
Nipomo Community Services District

ATTEST:

APPROVED AS TO FORM:

Donna K. Johnson
Secretary to the Board

Jon S. Seitz
General Counsel