

Minutes For February 26, 2002 Rural North Vacaville Water District

1

RURAL NORTH VACAVILLE WATER DISTRICT

February 26, 2002

Solano County Board of Director's met in its ex-officio capacity as the Rural North Vacaville Water District on this day in regular session. All Directors were present.

ORDERS

(Item 26B) CONTRACT AMENDMENT NO. 10 WITH CALIFORNIA WATER SERVICE COMPANY FOR PROFESSIONAL SERVICES, APPROVED

PAYMENT OF \$5,157.90 FOR CH2M HILL RE RESTORATION AND OTHER WORK ON WEISS PROPERTY TO BE WITHELD

REMAINING CONTINGENCY FUND UNDER AMENDMENT NO.7 TO BE USED TO INCREASE CONTRACT AMOUNT IN AMENDMENT NO. 9 (EXHIBIT B-1), APPROVED

The Board was provided with an Agenda Submittal from the Department of Environmental Management dated February 26, 2002, incorporated herein by reference, regarding amending the agreement with California Water Service Company. President Carroll voiced concern with some trenching that was done on the wrong property, and posed questions regarding responsibility of the error, and with the funds still in the Contingency Fund, Harry Englebright, Department of Environmental Management, discussed how the error was made relating to mapping, easements and surveying errors. Mr. Englebright noted the mitigation measures that were done to stabilize the area that was incorrectly trenched, and noted the issue of the additional costs for the added professional services to do the mitigation measures by the subcontractors. Cal Water and CH2M Hill Construction absorbed their costs. Mr. Englebright noted approximately half of the contingency Fund would remain if the sub-contractor costs are paid.

President Carroll voiced concern with potential costs to the County if there are not enough contingency funds.

Responding to questions posed by Director Silva regarding the responsibility of Cal Water,

Mr. Englebright discussed the management team for the "District". Director Silva feels Cal Water

and CH2M Hill Construction are responsible for the trenching error, and feels the District should not

have to pay for those errors.

Jerry Bass, Vacaville, noted the District contracting with Cal Water on this project, and feels

that Cal Water should be monetarily responsible for this error. Mr. Bass voiced concern with the

roads being damaged and not repaired, with possible compaction issues on fill of some trenches near

or in the roadway, with potential added costs, and feels the contractor should pay for the mistake.

Responding to questions posed by Director Thomson regarding the contract addressing

mistakes, Mr. Englebright noted he would have to review the professional service contract before

answering. Director Thomson feels as professionals, the construction company should be responsible

for the errors.

Director Silva feels that Cal Water is being paid very well to oversee this project and should

be responsible for the errors.

Responding to concerns voiced by President Carroll regarding the trenching and compaction

issues, Mr. Englebright discussed the filling of trenches and compaction tests that are done on

roadways.

Director Kromm noted opposition to paying Cal Water for the oversight costs related to this

problem, but feels the subcontractors should be paid.

Mr. Englebright outlined the costs in Item 26A of \$15,620 labeled CWS 3, and the CH2M

Hill costs as listed on page 9 of Item 26B.

There was a brief discussion regarding bringing a portion of the agenda items back, and with

reconsideration of Item 26A since the two items are so closely related.

On motion of Director Silva and seconded by Director Thomson, the Board acted to

reconsider Item 26A. So ordered by a vote of 5-0.

(Item 26A) CONTRACT AMENDMENT NO. 3 WITH CALIFORNIA WATER
SERVICE
COMPANY TO INCREASE CONTRACT AMOUNT, APPROVED

CHANGE ORDER CWS 3 IN THE AMOUNT OF \$15,620, NOT APPROVED
AT THIS TIME

The Board was provided with an Agenda Submittal from the Department of
Environmental

Management dated February 26, 2002, incorporated herein by reference,
regarding a contract

amendment with California Water Service (Cal Water).

Director Kromm noted that there is a lot of money listed in the agenda item
that is not related

to the trenching error.

Responding to questions posed by Director Thomson regarding if the amount of
\$15,620 is

the amount in question relative to the trenching problem, Mr. Englebright
noted that amount is related

to the trenching issue.

Responding to questions posed by Director Kondylis regarding the costs for the
original

trenching, Mr. Englebright noted that Teichert Construction absorbed that cost.

On motion of Director Thomson and seconded by Director Silva, the
Board acted to approve

the departmental recommendations except for the item listed as CWS 3 in the
amount of \$15,620.00.

So ordered by a vote of 5-0.

(Item 26B) - Continued

On motion of Director Kromm and seconded by Director Thomson, the
Board acted to

approve the departmental recommendations except to withhold \$5,157.90 (see
page 9). So ordered

by a vote of 5-0.

As said business was completed, the Board of Directors adjourned to
continue the regular
meeting of the Board of Supervisors.

WILLIAM J. CARROLL, President

MICHAEL D. JOHNSON, Secretary

By _____

Maggie Jimenez, Deputy Secretary