

Marina Coast Water District
Agenda Transmittal

Agenda Item: 8-A

Meeting Date: January 10, 2012

Submitted By: Carl Niizawa
Reviewed By: Jim Heitzman

Presented By: Carl Niizawa

Agenda Title: Adopt Resolution No. 2012-02 to Amend the Professional Services Agreement with Harris & Associates for Inspection Services for the East Garrison Development

Detailed Description: The Board of Directors is requested to authorize an amendment to the Professional Services Agreement (PSA) with Harris & Associates to provide inspection services for the East Garrison Development. The amendment is for a not-to-exceed amount of \$39,005 and to be reimbursed by the Developer (Union Community Partners East Garrison LLC).

The current Developer of the East Garrison Development has assumed ownership of much infrastructure installed during 2007 and 2008 by the previous developer. The Developer and MCWD both plan for the water, sewer, and recycled water infrastructure to be owned and operated by MCWD, and the parties recently entered into an Infrastructure Agreement (Resolution No. 2011- 67 adopted on September 13, 2011) to achieve that objective. The process to transfer ownership of the water, sewer, and recycled water infrastructure at East Garrison is well underway and involves inspection of installed water and sewer infrastructure. The Developer and MCWD staff are in agreement that contract inspection labor is warranted due to the expected increase in needed inspection. The contract amendment is for Harris & Associates to conduct the inspection work needed to achieve the ownership transfer of the Phase 1 infrastructure within the East Garrison Development.

Specific scope elements that Harris & Associates is proposing to undertake with this amendment include: inspection and observation of sanitary sewer system testing for pipeline leakage, pipeline deflection, and manhole leakage; inspection of any new sanitary sewer infrastructure installed or repaired; inspection and observation of potable and recycled water systems testing for pipeline leakage; inspection of any new water system infrastructure installed or repaired; inspection and observation of the potable water system disinfection and sampling procedures; and preparing a final report compiling the inspection results and providing a recommendation regarding the suitability of the infrastructure for ownership by MCWD.

Harris & Associates has an existing contract with MCWD for inspection services. The Board adopted Resolution No. 2010-22 on April 13, 2010 that authorized a Professional Services Agreement (PSA) with Harris & Associates to provide construction management support with inspection services as needed. This proposed amendment will further implement the intent of this existing contract.

Harris & Associates has provided fine service for MCWD and with jurisdictions in the region. They maintain an office within the City of Marina with assigned project personnel present locally.

MCWD staff has reviewed their scope of work and fee estimate and find that the scope is reasonable; their charge rates are comparable to other engineering firms providing services to MCWD; and are competitive based on general industry-wide standards.

This proposed PSA amendment ultimately will be paid for by the Developer through the existing well-established large development accounting procedure. Prior to paying Harris & Associates for any work under this amendment, the Developer will be required to have the entire contract amendment amount paid to MCWD and held in the East Garrison development account. The contract amendment is on a time and expense basis.

Environmental Review Compliance: Not Applicable; this action amending a Professional Services Agreement is not a "project" under the California Environmental Quality Act (CEQA).

Prior Committee or Board Action: The Board of Directors adopted Resolution No. 2010-22 on April 13, 2010 authorizing a Professional Services Agreement with Harris & Associates for engineering services related to inspection practices, inspection training, and on-call inspections. The Board of Directors adopted Resolution No. 2011-67 on September 13, 2011 approving the Construction and Transfer of Water, Sewer and Recycled Water Infrastructure Agreement between MCWD and Union Community Partners East Garrison for Phase I and Phase II of the East Garrison Development in Monterey County, CA.

Board Goals/Objectives: – *Objectives Goal No. 2 – To meet 100% of current and future customers' needs and make timely improvements and increase infrastructure and level of services and human resources to meet needs of expanding service areas in an environmentally sensitive way.*

Financial Impact: _____Yes ___X___No

Funding Source/Recap: There is no financial impact to the MCWD from this action; the Developer will be required to resource the entire amendment amount with their payment to MCWD in advance of any payment under this PSA amendment to Harris & Associates.

Material Included for Information/Consideration: Resolution No. 2012-02.

Staff Recommendation: The Board adopt Resolution No. 2012-02 amending the Professional Services Agreement with Harris & Associates to provide inspection services for the East Garrison Development.

Action Required: ___X___Resolution _____Motion _____Review
(Roll call vote is required.)

Board Action

____ Resolution No ____ Motion By _____ Seconded By _____

Ayes _____ Abstained _____

Noes _____ Absent _____

Reagendized _____ Date _____ No Action Taken _____

January 10, 2012

Resolution No. 2012 – 02
Resolution of the Board of Directors
Marina Coast Water District
Amending the Professional Services Agreement with
Harris & Associates for Inspection Services for the
East Garrison Development

RESOLVED by the Board of Directors (“Directors”) of the Marina Coast Water District (“District”), at a regular meeting duly called and held on January 10, 2012 at the business office of the District, 11 Reservation Road, Marina, California as follows:

WHEREAS, Union Community Partners East Garrison (“Developer”) has coordinated with the District on their East Garrison Development, consisting of the new construction and related infrastructure on the Former Fort Ord lands within Monterey County, CA; and,

WHEREAS, the District and the Developer are working cooperatively regarding proposed water, recycled water and sewer system improvements and the District and the Developer have entered into a Construction and Transfer of Water, Sewer and Recycled Water Infrastructure Agreement; and,

WHEREAS, the District and the Developer agree that outside assistance for inspection labor is warranted to achieve the objective of transferring ownership of infrastructure to the District and that the Developer will pay for the inspection services; and

WHEREAS, Harris & Associates has an existing contractual relationship with the District, they have long association with local jurisdictions in similar capacities, and Harris & Associates maintains a local office; and,

WHEREAS, District staff finds that the Harris & Associates scope and fee proposal to conduct the inspection work is reasonable, their charge rates are comparable to other engineering firms providing services to the District and their charge rates are competitive based on general industry-wide standards.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Marina Coast Water District does hereby authorize the General Manager and/or Deputy General Manager to execute an amendment to the Professional Services Agreement with Harris & Associates for inspection services for the East Garrison Development and to take all actions and execute all documents as may be necessary or appropriate to give effect to this resolution, the total dollar amount not-to-exceed \$39,005.

PASSED AND ADOPTED on January 10, 2012 by the Board of Directors of the Marina Coast Water District by the following roll call vote:

Ayes: Directors _____

Noes: Directors _____

Absent: Directors _____

Abstained: Directors _____

Dan Burns, President

ATTEST:

Jim Heitzman, Secretary

CERTIFICATE OF SECRETARY

The undersigned Secretary of the Board of the Marina Coast Water District hereby certifies that the foregoing is a full, true and correct copy of Resolution No. 2012-02 Adopted January 10, 2012.

Jim Heitzman, Secretary