

# VENTURA REGIONAL SANITATION DISTRICT

1001 PARTRIDGE DRIVE, SUITE 150 • VENTURA, CA 93003-0704



December 6, 2011

Board of Directors  
Ventura Regional Sanitation District  
Ventura, California

## **TOLAND ROAD LANDFILL PHASE 3B LINER – VRSD CONTRACT 09-037-05 AMENDMENT NO. 5 FOR ENGINEERING SUPPORT SERVICES WITH A-MEHR, INC.**

### **Summary**

The Ventura Regional Sanitation District (VRSD) recently completed Phase 3B Liner Construction at the Toland Road Landfill. On October 15, 2009, the Board authorized VRSD Contract No. 09-037 with A-Mehr, Inc. for \$74,000 to design the Phase 3B Liner. On May 6, 2010, the Board authorized the award of the construction of the Phase 3B Liner to Sukut Construction, Inc. for \$4,816,935 (VRSD Contract No. 10-004). As part of that construction, the California Regional Water Quality Control Board (RWQCB) requires extensive construction quality assurance (CQA). On May 20, 2010, the Board amended VRSD Contract No. 09-037-01 with A-Mehr to provide CQA and Engineering Support Services for the Phase 3B Liner for an additional \$259,200. The contract was subsequently amended three additional times to include continued CQA and Engineering Support Services for the Phase 3B Liner for \$287,486. Staff now recommends an additional, final amount of \$41,000 for CQA and Engineering Support Services.

### **Background**

Phase 3B Liner Construction commenced in June 2010 and was completed in November 2011. As you are aware, this project was completed in two parts to due to the rainy season.

Part two of Phase 3B presented several challenges. As you may recall, large quantities of unsuitable materials were discovered as our contractor excavated for bedrock. Additionally, seeping water from the heavy rainfall last winter required us to install a more extensive subdrain system than originally anticipated. Another result of the heavy rainfall from last winter was an increase in the amount of lechate that was produced in the existing landfill. This increased lechate volume migrated through the landfill and exceeded the temporary terminal end of the liner in Phase 3A. Prior to completing the liner tie in of Phase 3B to Phase 3A, the District had to conduct a site investigation to determine the extent of the liquid that had accumulated at the Phase 3A liner Termination Berm and Temporary Lysimeter System. This investigation resulted in a need for more extensive CQA monitoring and reporting to the RWQCB.

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Review of plans, maps and slope stability were required to prepare the appropriate documents for RWQCB approval. As the liner tie in was delayed, 13 additional days of CQA services were required to observe this work. Staff and representatives from A-Mehr had to meet with RWQCB personnel on two separate occasions to explain site conditions prior to certification and submittal of the final reports. To complete this project, A-Mehr is asking for a final change order in the amount of \$41,000.

The table below summarizes the contract and amendments to date.

DATE	REFERENCE	PURPOSE	AMOUNT
10/15/09	09-037	Preparation of construction drawings and specifications for Toland Road Landfill Phase 3B Liner	74,000.00
05/20/10	09-037-1	Toland Road Landfill Phase 3B Design, Liner Construction Quality Assurance and Engineering Support Services	259,200.00
11/18/10	09-037-2	Toland Road Landfill Phase 3B Design, Liner Construction Quality Assurance and Engineering Support Services	176,486.00
06/02/11	09-037-3	Toland Road Landfill Phase 3B Design, Liner Construction Quality Assurance and Engineering Support Services to add an additional \$20,000 to the contract and extend the term to June 30, 2012	20,000.00
09/01/11	09-37-4	Toland Road Landfill Phase 3B Design, Liner Construction CQA and Engineering Support Services, with A-Mehr Inc. for an additional \$91,000	91,000.00
12/15/11	09-37-5	Final, additional CQA for liner join of Phase 3B to Phase 3A.	41,000.00
	<b>TOTAL:</b>		<b>\$661,686.00</b>

Staff recommends A-Mehr's proposal for \$41,000.

Legal Counsel has reviewed and approved the proposed contract amendment as to legal form. If you have any questions or need additional information, please contact me at 658-4674.

**Fiscal Impact**

Appropriation for this amendment is included in the adopted Fiscal Year 2012 Capital Plan Budget, Toland Road Landfill Phase 3B Liner project.

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**Recommendation**

It is recommended the Board authorize the Chairman to sign Contract No. 09-037-05 (Amendment No. 5 to 09-037) for the Toland Road Landfill Phase 3B Design, Liner Construction CQA and Engineering Support Services, with A-Mehr, Inc. for an additional \$41,000 for a new contract total of \$661,686.



SALLY COLEMAN - DIRECTOR OF OPERATIONS

Enc.

APPROVED FOR DECEMBER 15, 2011 AGENDA



Mark Lawler – General Manager

**CONTRACT NO. 09-037-5**

**AMENDMENT NO. 5 TO CONTRACT NO. 09-037  
AGREEMENT FOR CONSULTING SERVICES  
BETWEEN  
VENTURA REGIONAL SANITATION DISTRICT  
AND  
A-MEHR, INC**

THIS AGREEMENT is made and entered into this 15<sup>th</sup> day of December 2011 by and between the VENTURA REGIONAL SANITATION DISTRICT, a public agency formed pursuant to California Health & Safety Code Section 4700 et seq., hereinafter "DISTRICT," and A-MEHR, INC., a California corporation, hereinafter "CONSULTANT."

**RECITALS**

A. On the 15<sup>th</sup> day of October 2009, a certain contract, hereinafter referred to as Contract No. 09-037, was executed between DISTRICT and CONSULTANT Toland Landfill Phase 3B Liner Design hereinafter the "Project"; and

B. On the 20<sup>th</sup> day of May 2010, a certain contract, hereinafter referred to as Contract No. 09-037-1, was executed between DISTRICT and CONSULTANT Toland Landfill Phase 3B Liner Design hereinafter the "Project"; and

C. On the 18<sup>th</sup> day of November 2010, a certain contract, hereinafter referred to as Contract No. 09-037-2, was executed between DISTRICT and CONSULTANT for Toland Landfill Phase 3B Liner Design hereinafter the "Project"; and

D. On the 2<sup>nd</sup> day of June 2011, a certain contract, hereinafter referred to as Contract No. 09-038-3, was executed between DISTRICT and CONSULTANT for Toland Landfill Phase 3B Liner Design hereinafter the "Project"; and

E. On the 1<sup>st</sup> day of September 2011, a certain contract, hereinafter referred to as Contract No. 09-038-4, was executed between DISTRICT and CONSULTANT for Toland Landfill Phase 3B Liner Design hereinafter the "Project"; and

F. DISTRICT issued a request for proposal (RFP) for the Toland Landfill 3B Liner Design to three qualified landfill design consultants in September 2009. All three firms receiving the RFP, Brian A. Stirrat & Associates, SWT Engineering and A-Mehr, Inc. responded with proposals in October 2008 and then updated their proposals in September 2009. After review of proposals, A-Mehr was determined to have the best combination of qualification and cost-effectiveness. On the 15th day of October 2009, a certain contract, hereinafter referred to as Contract No. 09-037, was awarded to A-Mehr in the amount of \$74,000.

G. DISTRICT had need for construction quality assurance (CQA) and Construction Engineering Support Services for the 3B Liner Construction Project at the Toland Landfill. CONSULTANT represented that it is licensed to perform engineering services in the State of California, its license number is C42575, and it possesses the necessary skills, experience and expertise to perform the required work and is willing to contract with DISTRICT.

H. DISTRICT selected A-Mehr as best qualified, by soliciting proposals from three qualified engineering firms and sole sourcing. CONSULTANT was selected as most fully qualified based on evaluation of all

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submittals. The selection procedure was in conformance with DISTRICT Purchasing Resolution No. 89-13. On the 20th day of May 2010, Contract No. 09-037 was amended to include CQA and Construction Engineering for the Toland Landfill Phase 3B Liner for an additional \$259,200.

I. On the 18<sup>th</sup> day of November 2010, Contract No. 09-037 was amended to include CQA and Construction Engineering for the Toland Road Landfill Phase 3B Liner for an additional \$176,486.

J. On the 2<sup>nd</sup> day of June 2011, Contract No. 09-037 was amended to include CQA and Construction Engineering for the Toland Road Landfill Phase 3B Liner for an additional \$20,000.00 and extended the completion of work to June 30, 2012.

K. On the 1<sup>st</sup> day of September, 2011, Contract No. 09-037 was amended to include CQA and Construction Engineering for the Toland Road Landfill Phase 3B Liner for an additional \$91,000.

K. DISTRICT and CONSULTANT have agreed additional compensation is necessary to complete the work and can be accomplished by amending Contract No. 09-037 accordingly.

**AMENDMENT**

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements set forth, it is agreed the aforesaid Contract No. 09-037, a copy of which is attached as Exhibit "I" and incorporated herein by reference, shall remain in full force and effect, except as otherwise hereinafter provided.

The parties agree the following language shall replace the original provisions of Article 4: Compensation:

“Fees for services provided in Article 2 of this agreement will be determined on the basis of Direct Salary Cost and Direct Nonsalary Cost, as herein defined, except that the total fees for services shall be increased by \$41,000.00 and shall not exceed \$661,686.00 without written amendment hereto.”

IN WITNESS WHEREOF, the parties hereto have executed this agreement the day and year first above written.

APPROVED AS TO FORM: ARNOLD, BLEUEL,  
LaROCHELLE, MATHEWS, & ZIRBEL, LLP

VENTURA REGIONAL SANITATION DISTRICT

By \_\_\_\_\_  
MARK A. ZIRBEL  
Legal Counsel for DISTRICT

By \_\_\_\_\_  
JAMES L. MONAHAN, Chairman  
Board of Directors

ATTEST:

ENGINEER:

By \_\_\_\_\_  
JOSIE GUZMAN, Clerk of the Board

By \_\_\_\_\_  
M. ALI MEHRAZARIN, Principal Engineer

**INTERNAL USE ONLY**

Principal Analyst \_\_\_\_\_

Finance Manager \_\_\_\_\_

Director of Finance 70 \_\_\_\_\_

Fiscal Technician \_\_\_\_\_