

CENTRAL BASIN MUNICIPAL WATER DISTRICT **JULY 7, 2004 - Water Resources**
Morse, [Apodaca](#)
JULY 26, 2004 - Board Meeting
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Submitted by: Paul E. Shoenberger
Approved by: Richard Nagel

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ACTION CALENDAR

**TRENCH REHABILITATION ALONG DOLLISON DRIVE
IN THE CITY OF DOWNEY**

SUMMARY:

The District constructed a 24-inch recycled water pipe along Dollison Drive in the City of Downey in 1991 as part of the E. Thornton Ibbetson Century Recycled Water Project. The trench in which the pipeline was placed recently experienced consolidation resulting in the roadway above the pipe to sink up to four inches in some areas. When the incident was reported, the District took immediate action to remedy any unsafe traffic condition by applying temporary asphalt concrete pavement to patch the street.

The City of Downey dispatched an inspector to the trench site and later informed the District that the use of temporary pavement is acceptable in the short-term, but the District will need to move forward with plans for the complete rehabilitation of the trench.

About 150-feet of trench will need to be rehabilitated. The work will involve excavation, backfilling, compaction, compaction testing, and repavement. Under direction from staff, Park Water Company (the District's field operator) received two (2) quotes for the rehabilitation work:

Contractor	Bid Price
Doty Brothers	\$21,255
Valverde Construction	\$27,010

The work to administer the contract and provide inspection services is covered in Park Water's "Scope of Services" under their current contract.

Civil Procedure Section 337.15 states that actions for latent defects in design and construction must be brought in 10 years from substantial completion of the project. A latent defect is defined as one "not apparent by reasonable inspection." The 10-year period begins to run on the following, whichever appears first: date of final inspection; recordation of "Notice of Completion"; date of use of the improvement; or one-year after termination of work on the improvement. Based on the 10-year limit, the District will not be able to recover funds from the original contractor, Calfon, for this rehabilitation effort.

FISCAL IMPACTS:

\$30,000 is available in the FY 2004-05 Operations Budget, services/supplies category of the Ibbetson Distribution System. Staff recommends that the annual budget for this category be increased by \$23,380 (\$21,255 plus 10% for contingencies) to a total of \$53,380 to account for

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this unforeseen project. Without the budget increase, funds for other required services and supplies may not adequately be available for the remainder of the fiscal year.

ENVIRONMENTAL COMPLIANCE:

The contractor will be required to obtain a no-fee encroachment permit from the City of Downey.

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COMMITTEE STATUS:

This item was reviewed by the Water Resources Committee on July 7, 2004 and recommended for approval at the July 26, 2004 Board meeting contingent on Doty Brothers not being the original contractor. Staff has since determined that the original contractor was Calfon, a company that is no longer in business.

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RECOMMENDED MOTIONS:

That the Board:

- 1) Authorizes the Co-Acting General Managers to enter into an agreement with Doty Brothers Construction Company for a not-to-exceed amount of \$23,380 (\$21,255 plus 10% for contingencies) for the Dollison Drive Trench Rehabilitation Project; and
- 2) Increases the Operations Budget, Services/Supplies category for the E. Thornton Ibbetson Century Recycled Water Distribution System from \$30,000 to \$53,380.

EXHIBITS:

Exhibit "A" - Trench Rehabilitation Pictures