

A G E N D A
RIO DELL CITY COUNCIL
STUDY SESSION - 5:30 P.M.
REGULAR MEETING- 6:30 P.M.
TUESDAY, DECEMBER 7, 2010
CITY COUNCIL CHAMBERS
675 WILDWOOD AVENUE, RIO DELL

WELCOME . . . By your presence in the City Council Chambers, you are participating in the process of representative government. Copies of this agenda, staff reports and other material available to the City Council are available at the City Clerk's office in City Hall, 675 Wildwood Avenue. Your City Government welcomes your interest and hopes you will attend and participate in Rio Dell City Council meetings often.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (707) 764-3532. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

THE TYPE OF COUNCIL BUSINESS IS IDENTIFIED IMMEDIATELY AFTER EACH TITLE IN BOLD CAPITAL LETTERS

A. CALL TO ORDER

B. ROLL CALL

C. PLEDGE OF ALLEGIANCE

D. STUDY SESSION (5:30 – 6:30 p.m.)

1) 2010/1207.01 – Wastewater Project II Update

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E. CEREMONIAL

F. CONSENT CALENDAR

The Consent Calendar adopting the printed recommended Council action will be enacted with one vote. The Mayor will first ask the staff, the public and the Council members if there is anyone who wishes to address any matter on the Consent Calendar. The matters removed from the Consent Calendar will be considered individually in the next section, "SPECIAL CALL ITEMS."

- | | |
|--|----|
| 1) 2010/1207.02 - Approve Minutes of the November 16, 2010 Regular Meeting (ACTION) | 7 |
| 2) 2010/1207.03 - Approve the 2010 Holiday Schedule (ACTION) | 13 |
| 3) 2010/1207.04 - Approve Water Bill Claim Adjustment for Mindy Henderson at 250 Monument Road in the Amount of \$107.91 (ACTION) | 14 |
| 4) 2010/1207.05 - Approve Progress Pay Request No. 3 for Mercer Fraser Co. in the amount of \$18,049.11 for work related to the Wildwood Ave. Paving Project (ACTION) | 19 |

- 5) 2010/1207.06 - Approve Water Bill Claim Adjustment for Liz Samaniego at 444 Edwards Dr. in the Amount of \$150.96 **(ACTION)** 30
- 6) 2010/1207.07 - Approve Resolution No. 1099-2010 Dedicating a Source of Revenue for Repayment of the State Revolving Fund Loan **(ACTION)** 33
- 7) 2010/1207.08 - Approve Monument Culvert Project Amendment No. 1 **(ACTION)** 35
- 8) 2010/1207.09 - Authorize Chief of Police to sign Operations Agreement with North Coast Rape Crisis **(ACTION)** 38
- 9) 2010/1207.10 - Approve Weapons Disposal Plan **(ACTION)** 40
- 10) 2010/1207.11 - Approve Pay Request No. 10 for K.G. Walters Co. Inc. in the amount of \$155,186.08 for work related to the Solids and Disinfection Management Project and authorize City Manager to sign Notice of Completion **(ACTION)** 42
- 11) 2010/1207.12 - Approve Scope of Work from Freshwater Environmental Services for Development of a Draft Sewer Use Ordinance and Enforcement Response Plan **(ACTION)** 57

G. SPECIAL PRESENTATIONS

H. SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

- 1) "SPECIAL CALL ITEMS" from Consent Calendar
- 2) 2010/1207.13 - Direct City Manager to develop recommendations regarding Wastewater Project II and contract services for Council consideration on January 4, 2010 **(ACTION)**
- 3) 2010/1207.14 - Draft Eel River Valley Regional Food Collaborative, Business and Development Plan **(DISCUSSION AND COMMENT)** 61
- 4) 2010/1207.15 - Brownfield's Project Update **(RECEIVE & FILE)** 62
- 5) 2010/1207.16 - PG&E Wireless Smart Meter Program **(DISCUSSION)** 130
- 6) 2010/1207.17 - Approve Contract Agreement with HDR Engineering for Design on the Wastewater Facility and Effluent Disposal Project **(ACTION)** 64
- 7) 2010/1207.18 - Approve Final Operations Budget and Review Draft Combined Balance Sheet for the FY Ending 6/30/10 **(ACTION)** 153
- 8) 2010/1207.19 - Review Operations Budget and Combined Balance Sheet for the Period Ending 9/30/10 **(RECEIVE & FILE)** 156

I. ORDINANCES/SPECIAL RESOLUTIONS

- 1) 2010/1207.20 - Approve Resolution No. 1100-2010 Accepting the Certification of Votes for the November 2, 2010 General Election **(ACTION)** 159
- 2) 2010/1207.21 - Public Hearing, Introduction and First Reading (by title only) of Ordinance No. 268-2010 State Video Service Franchises Ordinance Implementing "DIVCA", the Digital and Video Competition Act of 2006 **(ACTION)** 164
- 3) 2010/1207.22 - Public Hearing, Introduction and First Reading (by title only) of Ordinance No. 269-2010 Adopting California Building Codes and Appendices and Repealing Title 15, Chapter 15.05.020 – Building Codes of the Rio Dell Municipal Code **(ACTION)** 174

J. PUBLIC PRESENTATIONS

This time is for persons who wish to address the Council on any matter not on this agenda and over which the Council has jurisdiction. Items requiring Council action not listed on this agenda will be placed on the next regular agenda for consideration, unless a finding is made by at least 2/3rds of the Council that the item came up after the agenda was posted and is of an urgency nature requiring immediate action. Please limit comments to a maximum of 5 minutes.

K. REPORTS/STAFF COMMUNICATIONS

- 1) City Manager
- 2) Finance Director
- 3) Chief of Police
- 4) Public Works Director

L. COUNCIL REPORTS/COMMUNICATIONS

M. ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION AS FOLLOWS:

- 1) 2010/1207.23 - Conference with Real Property – Negotiator: Ron Henrickson, City Manager. Under Negotiation: Price, Terms and Other Considerations (Government Code Section 54956.8)

N. PUBLIC COMMENT REGARDING CLOSED SESSION

O. RECESS INTO CLOSED SESSION

P. RECONVENE INTO OPEN SESSION

Q. ORAL ANNOUNCEMENTS

R. ADJOURNMENT

HAPPY HOLIDAYS!

*The next Regular meeting will be on January 4, 2011
at 6:30 PM in the City Council Chambers*

WASTEWATER PROJECT #2 UPDATE - December 7, 2010

- The City contracted with W&K on August 4, 2010, to prepare the State Revolving Fund (SRF) funding application for the project . Exhibit 1.
- W&K in September provided the City the attached schedule, Exhibit 2, which states that the application will be submitted in October and that the Preliminary Funding Commitment (PFC) will be approved by December 1, 2010.
- Subsequent to HDR's involvement the City was informed by HDR that they felt the schedule was not realistic and recommended a conference call with SRF as soon as possible.
- During the conference call attended by HDR, W&K, the City and SRF on November 18th SRF stated that several item remained to be submitted before the application would be considered complete, and that the PFC would not be issued until at least 60 days after the application was complete. The 60 days was necessary for legal review.
- Following the conference call I requested W&K to provide a written explanation why their time schedule was erroneous. The response I received is attached as Exhibit 3.
- Also following the conference call W&K, HDR and the City agreed on a plan to complete all of the items pertaining to the application by about December 15th.
- What is clear to me is that W&K should have known the funding requirements and submitted a complete application in October as their schedule indicated. Given that funding is available on a first come first serve basis, the delay in receiving the PFC places the City in an untenable situation.
- In order to receive grant funds the City has to issue the notice to proceed to the contractor prior to May 1, 2011. This means that the award of contract has to happen 2 weeks prior, and the bidding about 3 1/2 weeks earlier and that design must begin about 3 months earlier. This means design must begin in December.

- Without the PFC it is not prudent for the Council to approve a contract for design. If the City has to wait until March to begin design, it is most likely the City will not receive grant funds which are critical to this project.
- I am asking the Council to direct the City Manager to prepare recommendations to address funding for Project #2 and City engineering contract services for consideration of the Council in January.
- I am also recommending that the Council approve the contract with HDR for the project scope of services, but only authorize specific tasks to be completed in December at a sum not to exceed \$100,000. In January the Council can take action to proceed with design based on funding recommendations to be presented in January.

Agreement Between
The City of Rio Dell
and
Winzler & Kelly
For Development of Funding Applications for
The Rio Dell Treatment and Disposal Project

INTRODUCTION

This agreement is between the City of Rio Dell and Winzler & Kelly to provide assistance in development of funding applications for the upcoming Wastewater Treatment and Disposal Project. This agreement is based on a prime agreement between the City of Rio Dell and Winzler & Kelly dated October 10, 2003. All provisions of the prime agreement apply to this agreement unless noted otherwise in this agreement.

BACKGROUND

The City of Rio Dell was successful in 2009 in obtaining \$2.17 million in principal forgiveness (grant) from the State Water Resources Control Board (SWRCB) Clean Water State Revolving Fund (CWSRF) for design and construction of the Solids and Disinfection Management Project currently underway. The City is now moving forward with the second phase of the project, the Treatment and Disposal Project, also referred to as Project 2. This project is a major undertaking for the City and presents a significant expense. It is very important to the successful implementation of this project that the maximum amount of grant funding be obtained, and that favorable loan options are also explored should they be needed.

Winzler & Kelly has a great track record with the City in obtaining project funding. This scope of services allows us to continue to provide funding assistance to the City including following up on the in-progress application with the SWRCB and other potential funding sources. The SWRCB has released their draft intended use plan, which again includes principal forgiveness (grants) for projects in disadvantaged communities for the upcoming funding cycle. It is expected that the SWRCB will start issuing funding contracts as soon as August. Now is the time to move the City's application forward in the process to maximize the chance of securing principal forgiveness.

SCOPE OF SERVICES

Under this scope of Services Winzler & Kelly will provide funding assistance to the City of Rio Dell through assistance with application preparation, coordination with funding agency representatives, and completion of minor financial analyses to support funding application questions. The initial focus of this effort will be on CWSRF project funding.

In regards to CWSRF funding, this scope of services covers the completion of the required credit review, submission and coordination of planning documents completed under a separate scope (Facilities Plan Addendum and EIR Addendum), providing project updates to the State's project

manager, and assisting the City with coordination of required documentation and development of required resolutions.

While the initial effort focuses on the CWSRF, this scope of services also includes identifying and follow up with other potential funding sources that may offset project costs to the City rate payers. Winzler & Kelly will coordinate discussions with funders and review options with the City. Should the City desire to pursue some of these funding options, Winzler & Kelly will assist with preparation of applications and submission of same as appropriate. Several funding sources that may be evaluated include USDA Rural Utility Service, CDBG, the North Coast Integrated Regional Water Management Plan, and the California Infrastructure Bank.

EXCLUDED ITEMS

This scope of service does not include effort to develop permits, address Regional Board issues, conduct rate studies, or further the project design.

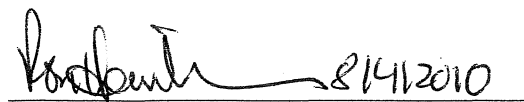
COMPENSATION

The above scope will be completed on a time and material basis, for an initial budget allowance of \$5,000. The actual effort that will be required for the tasks in this Scope of Services is unknown and is contingent upon the actions of others and what is determined during the funding process. The appropriate level of effort will be expended to accomplish the tasks necessary to move the City's wastewater project financing forward. We will keep the City informed of progress on the work, and will not exceed the initial allocation without prior authorization from the City.

As this scope allows Winzler & Kelly to provide funding support to the City to fund the larger wastewater project the City is working on with Winzler & Kelly, we are offering to discount our services by 50% when invoices are prepared for the City. We will track our effort for this work as a regular time and materials project at our standard charge out rates and then discount each invoice total by 50%. Thus the benefit to the City for the initial \$5,000 budget allocation will be \$10,000 worth of Winzler & Kelly services.

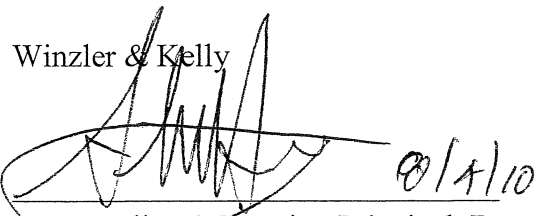
Invoices will be prepared monthly and are due and payable by the City within 30 days of the date of the invoice. Interest at the rate of 1-1/2% per month will be charged on all outstanding balances.

AGREED
City of Rio Dell



Ron Henrickson, City Manager, Date

6500-14-052-1026-0131
Rio Dell Accounting Tracking Number

Winzler & Kelly


Steven Allen, Managing Principal, Date
STEVE McHANEY

Schedule for Rio Dell Treatment and Disposal Project

Updated: September 2010

TASKS	Time to Complete /Target	Sep-10	Oct-10	Nov-10	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11	July to Sept. 2011	Oct. to Dec. 2011	Jan to Mar. 2012	Apr. to June 2012
PLANNING															
Soils and Groundwater Report	complete														
Anti Degradation Analysis and Approval ¹	complete														
Conceptual Project Layout ¹	complete														
EIR Addendum ¹	complete														
Notice of Determination to State Clearinghouse	10/6/2010		★												
Report of Waste Discharge	2 Months														
WDR Issued													★		
Environmental Permitting - DFG 1600 Permit	3 months														
Sanitary Sewer Evaluation Study	7 Months														
FUNDING															
Financing Assistance	on-going														
Complete Application ¹	1 month														
Facility Plan Addendum -Tech Memo Summary ¹	10/1/2010														
Complete Credit Review Package ¹	complete														
Credit Review Package Evaluation & Approval ¹	11/30/2010														
FPA/PFC ²	12/1/2010				★										
Approval of Award Package Complete	4/29/2011								★						
DESIGN/ CONSTRUCTION															
Design ³	3 months														
Bid Period Services	2 months														
Issue Notice to Proceed	4/28/2010								★						
Construction	~1 year														

- Notes:
- 1) These items must be complete before Facilities Plan Approval/ Preliminary funding committmetn can be signed.
 - 2) Facilities Plan Approval/ Preliminary Funding Commitment (FPA/PFC) secured money for the City's project
 - 3) May need to begin design prior to FPA/PFC if delayed beyond November to assure State deadline for Approval of Award (AOA) is met (Complete AOA due May 1, 2011)

Ron Henrickson

From: Steve Allen [SteveAllen@w-and-k.com]
Sent: Friday, November 19, 2010 12:09 PM
To: cm@riodellcity.com
Subject: Response to question regarding funding schedule

Ron,
I researched your question as requested and have found that we too were surprised on yesterday's call when Danielle stated that the FPA/PFC would be lucky to be approved until February due to a 60 day legal review. We were not aware of that before yesterday's call. We prioritized items we were told were time sensitive such as the Credit review. We did not experience the 60 -day legal review delay with the ARRA funding package either.

I hope this answers your question.

Steven A. Allen, P.E.
Managing Principal
Winzler & Kelly
Phone: (707) 443-8326 ext 158
Fax: (707) 444-8330
Email: steveallen@w-and-k.com
Web: <http://www.w-and-k.com>

Files in electronic media format of text, data, graphics, or other types provided by Winzler & Kelly are provided only for convenience. Any conclusion or information obtained or derived from such electronic files will be at user's sole risk. If there is a discrepancy between the information provided by Winzler & Kelly contained in electronic files and printed copies, the printed copies govern.

**RIO DELL CITY COUNCIL
STUDY SESSION
REGULAR MEETING
NOVEMBER 16, 2010
MINUTES**

The Study Session/Regular Meeting of the Rio Dell City Council was called to order at 5:30 p.m. by Mayor Woodall.

ROLL CALL: Present: Mayor Woodall, Councilmembers Barsanti, Dunker, Marks, and Thompson

Others Present: City Manager Henrickson, Chief of Police Hill, Finance Director Beauchaine, Acting Public Works Director Jensen (arrived at 6:30 p.m.) and City Clerk Dunham

STUDY SESSION MATTERS

Business License Ordinance Update

City Manager Henrickson stated he was pleased to announce that former Interim City Manager Stretch agreed to complete the draft Business License Ordinance update since he had started the update process prior to his leaving and was well into the process. He said the Council has the option of moving the process forward, bringing the draft ordinance forward after the first of the year, or not at all.

Mr. Stretch proceeded with review of the process and submitted two separate draft reports and attachments concerning the City's Business License Program. He said the two areas of focus were; 1) updating the business license ordinance and 2) establishing new business license administrative fees to cover the cost of administering the program. He said a third item is that the Council may want to give staff direction to prepare an amended schedule of business license taxes as a ballot measure for the Spring 2011 election since some of the current business license taxes date back to 1965.

In referring to the first report dealing with update of the business license ordinance, Mr. Stretch pointed out several sections in the existing ordinance that need to be updated such as: establishing that the administration of the business license program is through the City Clerk; expanding some definitions for the purpose of clarity; establishing that there is a business license tax for the purpose of raising city revenue *and* a business license fee to reimburse the city for the cost of processing and administering the program; changes in the renewal process including due dates and penalties; addressing two or more businesses at the same location; modifying veteran's exemption language; requiring business license fees for 1 or more rental units rather than two or more; defining public taxi cab businesses; modifying language regarding yard sales; and defining the appeal process.

NOVEMBER 16, 2010 MINUTES
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Mr. Stretch stated the draft ordinance reflected all of the proposed changes and was reviewed and approved by the City Clerk, Finance Director, Chief of Police, City Manager and City Attorney.

A second report was submitted in regard to the establishment of administrative fees associated with processing and administering the business license program.

Mr. Stretch explained under Prop 218, a business license *tax* may be imposed by a city for revenue raising purposes but is subject to approval of the electorate unlike *fees* imposed for regulatory purposes limited to covering the cost of administering a business license program which are merely subject to the noticed public hearing process before the City Council. He noted that passage of Prop 26 with the November 2nd election requires that certain state and local fees be approved by two-thirds vote namely fees that address adverse impacts on society or the environment caused by the fee-payer's business but after further review of the initiative he felt that it would not apply in this instance.

Attachment 1 to the report addressed calculations in support of the proposed Business License Application Administrative Fee of \$38.35 as well as the administrative fee of \$25.05 for a subsequent business license at the same location.

Councilmember Thompson stated he didn't feel 45 minutes to process a business license application was adequate; Mr. Stretch explained 45 minutes was an average time that was established by staff.

Councilmember Dunker asked if potential salary increases were considered in calculating the fees; Mr. Stretch said typically fee schedules are reviewed annually.

It was agreed that the matter come back to the Council in January for further discussion. Councilmember Marks suggested the cost of putting the measure on the ballot also be researched.

Weapons Method of Disposal

Chief of Police Hill stated the Police Department is in possession of several weapons that have been obtained over past years that are no longer useful for various reasons and are basically a liability to the City. He said his recommendation is to properly dispose of the weapons. Five possible options were presented as follows:

- Destroy the weapons by cutting them up with a torch
- Sell the weapons directly to a dealer for a predetermined amount of money
- Sell the weapons to an authorized vendor who will provide credit in lieu of cash
- Provide the weapons to an auction company who will sell the weapons for a percentage
- Sell or donate the weapons to another law enforcement agency

Discussion continued regarding the various options. Chief Hill noted that none of the firearms are of high quality and that one of the guns was a high powered semi-automatic rifle which can not be sold in California.

City Manager Henrickson said it was up to the Council to make a decision on the method for disposal but if it were his choice he would either destroy them or sell them to another law enforcement agency for a modest price.

Consensus of the Council was to bring the matter back to the Council for approval of Option 2 to sell the weapons to a dealer for a predetermined amount of money with the exception of the semi-automatic rifle which would be donated to the sheriff's department.

There being no further discussion, the study session adjourned at 6:35 p.m.

The meeting re-convened at 6:36 p.m.

CEREMONIAL

Proclamation in Recognition of November 2010 as National Family Caregivers Month in the City of Rio Dell

Mayor Woodall read the proclamation recognizing November 2010 as National Family Caregivers Month in the City of Rio Dell.

CONSENT CALENDAR

Mayor Woodall announced the items to be approved on the consent calendar and asked the staff, the public and the Council members if there was anyone who wished to have any item removed from the consent calendar for separate discussion. .

Motion was made by Thompson/Marks to approve the consent calendar including approval of minutes of the November 2, 2010 regular meeting; authorization for the City Manager to order Fireman's Park playground equipment; and approval of Gutierrez Land Surveying Contract Amendment on Project II Disposal Site Project. Motion carried 5-0.

SPECIAL CALL ITEMS/COMMUNITY AFFAIRS

Selection of Proposal for Engineering Traffic Study

City Manager Henrickson stated information was presented to the Council during the study session on November 2nd regarding the need to perform Engineering and Traffic Surveys for certain streets within the City in order to enforce speed limits using radar. The consensus was to have all of the streets presented surveyed based on the estimated costs presented which ranged from \$2,000 to \$3,000 for five to seven recommended streets. Three options were presented as follows:

- Option 1 - \$4,200 – Davis St., Wildwood Ave., Pacific Ave., Belleview., Riverside Dr., Monument Road, and Painter St.
- Option 2 - \$3,600 – Davis St., Wildwood Ave., Pacific Ave., Belleview Ave., Riverside Dr., and Monument Road
- Option 3 - \$3,000 – Davis St., Wildwood Ave., Pacific Ave., Belleview Ave., and Riverside Dr.

Chief Hill said his recommendation would be to go with Option 1 and complete all of the recommended surveys at one time to provide for consistency for maintaining a survey schedule in the future. He noted these surveys are required to be conducted every seven years.

Al Petrovich asked if there were any studies done on potential affects the radar may have on passengers; Chief Hill said based on his training the affects were very insignificant.

Councilmember Barsanti asked how the study would impact the current speed limits; Chief Hill said speed limits could actually be increased or decreased and some streets such as Belleview Ave. would probably be segmented based on residential density.

Motion was made by Marks/Dunker to direct staff to facilitate the completion of the Engineering and Traffic Surveys as described in Option 1. Motion carried 5-0.

PUBLIC PRESENTATIONS

Al Petrovich, 1231 Eeloa Ave. addressed the Council regarding the issue of “Smart Meters” being installed by PG&E for the purpose of controlling the use of energy and said he wanted to alert the community this is going on. His concern was that there were health issues as well as privacy issues being violated and asked that the City Council consider adopting an ordinance placing a moratorium on installation of these meters pending further studies.

Councilmember Thompson commented that these meter would control every segment of electrical usage throughout the day and if a consumer uses an appliance at the wrong time, their bill could potentially double in cost. He said he also had concerns regarding health and safety of the meters.

Council concurred to place the item on a subsequent agenda for further discussion.

REPORTS/STAFF COMMUNICATIONS

City Manager Henrickson informed the Council that he would be out of the office the following week for the Thanksgiving holiday.

Finance Director Beauchaine reported on recent activities in the finance department and stated the city auditors were here last week for the site visit portion of the audit and that it had gone very well.

Chief of Police Hill reported on recent activities in the police department and stated that the bicycle helmet program he worked on with the school went very well and he noticed a significant increase in compliance in regard to kids wearing helmets with the help of helmet donations.

Acting Public Works Director Jensen reported on recent activities in the public works department stating that some repair work was done at Monument and Wildwood as part of the Wildwood Ave. Paving Project due to some ponding of water in that area; they were working on the air gap system at the wastewater plant; and had repaired the sink hole on Sequoia Ave.

COUNCIL REPORTS/COMMUNICATIONS

Mayor Woodall announced she had participated in the tour of the wastewater treatment plant that took place prior to the meeting and said the yard looks great with completion of the Solids and Disinfection Project.

Councilmember Marks reported on her attendance at the Humboldt Waste Management Authority (HWMA) stating that she may be coming back in January asking for Council comments on upcoming projects involving HWMA.

Councilmember Thompson reported on his attendance at Redwood Coast Energy Authority (RCEA) and announced there would be a LED Holiday Light Exchange taking place at the River Lodge on November 20-21 where you can bring up to four strings of your working holiday lights and trade them for free LED mini lights. He said the same program would be available at Redwood Acres on December 3-5 and at Arts Alive on December 4 at the Redwood Coast Energy Authority.

ANNOUNCEMENT IN OPEN SESSION OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Mayor Woodall announced the Council would be adjourning to closed session to discuss the following items:

- Public Employee Performance Evaluation Title: City Manager (Gov't Code Section 54957)
- Conference with Labor Negotiator; the City's Designated Representative City Manager Ron Henrickson Concerning Rio Dell Police Officers Association; Rio Dell Employees Association; and Contract Employees (Gov't Code Section 54957.6)

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The Council adjourned to Closed Session at 7:05 p.m.

The regular meeting reconvened at 7:56 p.m.

Mayor announced the items discussed in closed session.

Councilmember Marks stated based on the City Manager's evaluation, the City Council felt it would be appropriate to offer an increase in compensation to the City Manager. City Manager Henrickson said he would prefer to discuss any potential salary increase with the salary compensation study adjustments. He said if anything, the Council could grant him a couple of extra days of executive leave.

Motion was made by Dunker/Woodall to grant the City Manager an additional 40 hours of executive leave. Motion carried 5-0.

ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 8:00 P.M. to the December 7, 2010 regular meeting.

Julie Woodall, Mayor

Attest:

Karen Dunham, City Clerk



**RIO DELL CITY COUNCIL
STAFF REPORT
DECEMBER 7, 2010**

TO: Rio Dell City Council
FROM: Karen Dunham, City Clerk
THROUGH: Ron Henrickson, City Manager
DATE: December 7, 2010
RE: Holiday Schedule

RECOMMENDATION

Approve the 2010 Holiday Schedule

BACKGROUND AND DISCUSSION

The following schedule reflects the tentative dates for this year's holiday events. Please comment on any concerns you may have regarding the proposed schedule and mark your calendars.

- Annual Tree Lighting Festivities - Cancelled at City Hall– Chamber of Commerce and Fire Department may be taking over this event
- Christmas Dinner - Cancelled
- Christmas Holiday - City Hall closed Thursday, December 23 – Friday, December 24th. (These are both designated paid holidays).
- New Years - City Hall closed December 31st (This is the Designated paid holiday since New Year's Day falls On Saturday)

675 Wildwood Ave.
Rio Dell, CA 95562



**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA**

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, Interim City Manager *RH*

FROM: Karen Dunham, City Clerk

DATE: December 7, 2010

SUBJECT: Water Bill Claim Adjustment

RECOMMENDATION

The Council approves the water bill claim adjustment for Mindy Henderson at 250 Monument Road in the amount of \$107.91.

BUDGETARY IMPACT

\$107.91 less revenue from the Water Fund

BACKGROUND AND DISCUSSION

This is a water bill adjustment claim for over \$100.00 which requires Council approval under Resolution No. 770. The average bill for this customer is \$53.45. The excessive use was the result of a broken water line under the driveway. The customer repaired the leak by replacing the water line and valve. The request is a 50% adjustment of the difference between the historical average use and the bill of \$269.27, which amounts to \$107.91.

ATTACHMENTS:

Water Bill Adjustment Claim Form
Utility Billing Summary Report

CITY OF RIO DELL
WATER BILL ADJUSTMENT CLAIM FORM

Instructions

1. Only claims exceeding an average water bill by \$10.00 or more are eligible for adjustment.
2. Present this form (with receipts for corrective measures) to the Water Department at City Hall after completion.

NAME OF CLAIMANT: Mindy Henderson

MAILING ADDRESS OF CLAIMANT: 349 9th St. #A Fortuna

ADDRESS OF WATER SERVICE: 250 Monument

MONTH and REASON FOR EXCESSIVELY HIGH WATER BILL:

October. I had a huge water leak in my driveway. I had to pay a Plumber to fix my leak but I also have to repair the
Only claims involving water line leaks, breaks, vandalism, excusable neglect or City negligence will be considered.

I HAVE MADE THE FOLLOWING REPAIRS TO MY WATER SYSTEM:

We dug out and replaced the old pipe and removed the tree stump that was growing against it.
No adjustment will be considered unless appropriate repairs or corrective measures have been taken. Attach copies of receipts.

I, Mindy Henderson (Print name), declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was signed on November 19, 2010, at Rio Dell, California.

Karen Dunham
 City of Rio Dell - Witness

Mindy Henderson
 Signature of Claimant

This Side to be Completed by City Staff Only

Number of claims submitted by claimant during previous twenty four months at any location and number of claims submitted by any claimant involving the same metered location: 0

Dates and locations of such claims: Present NIA

Claimants are allowed only ONE adjustment in any 24 month period

Does the claimant's reason for the requested adjustment constitute justifiable cause for the requested adjustment? yes

Has the claimant made sufficient repair or taken other appropriate corrective measures to reasonably prevent repeated problems? yes

Are copies of receipts attached? No

What is the amount of the bill disputed? \$2109.27

What is the claimant's average historical water bill? 13 units \$53.45

What is the difference? \$215.82 50% Credit amount is: \$107.91

Period used to calculate average water bill? Oct 09 - Oct 10

Note: Adjustments between \$10.00 and \$100.00 may be settled by the City Manager but may be submitted to the City Council, at the Managers sole discretion. Adjustments of \$100.00 or more must be approved by the City Council.

CITY MANAGER'S DISPOSITION:

APPROVE CLAIM Yes No

DENY CLAIM Yes No

Comments or Reason for Denial: _____

SUBMIT TO CITY COUNCIL Yes No

CM Signature: _____ Date: _____

CITY MANAGER'S RECOMMENDATION TO THE CITY COUNCIL:

APPROVE CLAIM _____ DENY CLAIM _____

COUNCIL ACTION (APPROVE/DENY) _____ DATE: _____

**CITY OF RIO DELL
U/B Summary Report**

Name: HENDERSON, MENDY
Address: 349 NINTH ST #A
FORTUNA, CA 95540

Lookup: 4645

<u>Location</u>	<u>House Number</u>	<u>Direction</u>	<u>Street</u>	<u>Description</u>	
250 MONUMENT ROAD	250		MONUMENT RD	250 MONUMENT ROAD/4-360	
<u>Serial Number</u>	<u>Digits</u>	<u>Multiplier</u>	<u>Route</u>	<u>Sequence</u>	<u>Description</u>
04033445	8	1	04	0360	

<u>Billing</u>	<u>10/27/2010</u>	<u>9/27/2010</u>	<u>8/27/2010</u>	<u>7/27/2010</u>	<u>6/28/2010</u>	<u>5/27/2010</u>	<u>4/28/2010</u>	<u>3/29/2010</u>	<u>2/26/2010</u>	<u>1/28/2010</u>
Beginning Balance	585.30	776.76	620.56	722.29	683.52	652.90	527.14	397.84	274.77	215.57
LateChg	32.94	11.14	14.16	14.15	12.52	26.63	15.41	13.51	0.00	12.95
Sewer	60.13	60.13	60.13	60.13	58.38	58.38	58.38	58.38	58.38	58.38
Consumption	13	79	11	15	18	11	13	21	17	18
ShutOff	35.00	0.00	35.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Water	53.45	269.27	46.91	59.99	67.87	45.61	51.97	77.41	64.69	67.87
Consumption	13	79	11	15	18	11	13	21	17	18
Payments	280.00	532.00	0.00	236.00	100.00	100.00	0.00	20.00	0.00	80.00
Activity Date	10/20/2010	9/24/2010		7/19/2010	6/17/2010	5/19/2010		3/18/2010		1/25/2010
Ending Balance	486.82	585.30	776.76	620.56	722.29	683.52	652.90	527.14	397.84	274.77
Deposits Held	70.00	70.00	70.00	70.00	70.00	70.00	70.00	70.00	70.00	70.00
250 MONUMENT ROAD										
04033445	944	931	852	841	826	808	797	784	763	746
Reading Date	10/27/2010	9/27/2010	8/27/2010	7/27/2010	6/28/2010	5/27/2010	4/28/2010	3/29/2010	2/26/2010	1/28/2010
Consumption	13	79	11	15	18	11	13	21	17	18
Days	30	31	31	29	32	29	30	31	29	30

Nov 09- 9
Oct 09- 2

Mindy Henderson

One of my many water leaks was in October, end of September. I had a huge water leak in my driveway. It was so bad the City came by and shut it off until it got fixed. I had to hire someone to find exactly where the leak was coming from. And to fix it. I also had to find someone to cut apart my asphalt driveway. The leak has caused my retaining wall to shift a little more. The labor to fix it was a financial hardship on me and my family. I am a single parent and actively seeking work. I also had a ~~huge~~ leak back in Dec, Jan, Feb, MAR, April didn't find it until April and I was told it was too late for any help because it had taken so long to fix. The water department actually found the leak after I paid 2 plumbers to come out and look. The leak was at my main water valve outside the house.



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532

To: Honorable Rio Dell City Council
Through: Ron Henrickson, City Manager *RH*
From: Randy Jensen, Acting P.W. Director and Carla Ralston, Public Works Admin.
Date: December 7, 2010
Subject: **Wildwood Avenue Paving and Pedestrian Improvement Project Progress
Payment Request No.3 from Mercer-Fraser Co.**

Recommendation

Approve Progress Pay request No.3 to Mercer-Fraser Co. for Change Order No.1 in the amount of \$18,049.11 for work performed on the Wildwood Avenue Paving and Pedestrian Improvement Project and Direct the City Manager to sign the Notice of Completion.

Budgetary Impact

Progress Payment Request No.3 is fully funded by ARRA funds made available to the City through a California Department of Transportation Grant, and takes into account 10% retention.

Discussion

Construction on this project has been completed as of November 27th. The attached pay request is for all of the extra work performed by the Contractor, as authorized by Work Directives 1-5 attached.

Attachments:

- (1) Memorandum from Winzler & Kelley Consulting Engineers
- (2) Progress Pay Request No.3 from Mercer-Fraser Co.
- (3) Change Order No.1 and supporting Documents
- (4) Notice of Completion



MEMORANDUM

TO: Ron Henrickson, City Manager Randy Jensen, Public Works Director

FROM: Merritt Perry, Construction Manager *MP*

DATE: December 2, 2010

RE: **Wildwood Avenue Paving and Pedestrian Improvement Project
Progress Payment Request No. 3 for Mercer-Fraser Co.**

JOB #: 0106109009

Construction of the Rio Dell Wildwood Avenue Paving and Pedestrian Improvement Project is complete. The contract item work was completed on September 22nd and all punch list item and extra work were completed on November 27th.

We have prepared the attached Progress Payment Request No. 3 for Mercer-Fraser Co., Inc. It is based on the bid schedule unit cost dollar figures in the Contractor's bids and the actual quantities of work completed. A spreadsheet is attached that includes my calculation for the payment due to the contractors as well as the contractor's original invoice.

This pay request includes all of the extra work completed by the contractor to date as authorized by Work Directives 1-5. Compensation for these changes are provided for by Contract Change Order No. 1 attached.

We recommend payment to Mercer-Fraser Co., Inc. for Progress Pay Request No. ³~~1~~ in the amount of \$18,049.11 at this time. This amount takes into account 10% retention to be withheld until after the Notice of Completion has been filed with the County Recorder, and it has been verified that there are no liens or stop notices have been filed. Payment to the contractors is typically due within 30 days from when the invoice is received. The current invoice was first received on December 2nd.

A Notice of Completion will be provided to you for your signature. If acceptable, please sign and return as soon as possible so we have it recorded. Please contact me if you have any questions regarding the project progress or this pay request.

City of Rio Dell
 Wildwood Avenue Paving and Pedestrian Improvement Project
 Contractor: Mercer-Fraser Co.
 Progress Pay Request #3

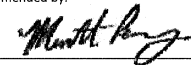
CONTRACT ITEMS

Item No.	Description	Contract Quantity	Unit	Unit Price	Contract Amount	Quantity Complete To Date	Amount Complete To Date	Amount Previously Certified for Payment	Amount Currently Due
1	Mobilization/Demobilization	1	LS	\$6,000.00	\$6,000.00	100%	\$6,000.00	\$6,000.00	\$0.00
2	Construction Area Signs	13	EA	\$200.00	\$2,600.00	13.00	\$2,600.00	\$2,600.00	\$0.00
3	Traffic Control	1	LS	\$23,000.00	\$23,000.00	100%	\$23,000.00	\$23,000.00	\$0.00
4	Storm Water Pollution Prevention	1	LS	\$500.00	\$500.00	1.00	\$500.00	\$500.00	\$0.00
5	Adjust Utility Cover to Grade	37	EA	\$350.00	\$12,950.00	37.00	\$12,950.00	\$12,950.00	\$0.00
6	Adjust Existing Manhole Cover to Grade	7	EA	\$375.00	\$2,625.00	5.00	\$1,875.00	\$1,875.00	\$0.00
7	Type G1 Drainage Inlet	1	EA	\$5,000.00	\$5,000.00	1.00	\$5,000.00	\$5,000.00	\$0.00
8	Cold Plane Asphalt Concrete (0.20' Maximum)	5620	SY	\$2.50	\$14,050.00	5620.00	\$14,050.00	\$14,050.00	\$0.00
9	Remove Concrete Curb, Gutter, and Sidewalk	650	SY	\$15.00	\$9,750.00	829.14	\$12,437.10	\$12,437.10	\$0.00
10	Class II Aggregate Base	113	CY	\$55.00	\$6,215.00	104.80	\$5,764.00	\$5,764.00	\$0.00
11	Replace Asphalt Concrete Surfacing	105	CY	\$200.00	\$21,000.00	67.31	\$13,462.00	\$13,462.00	\$0.00
12	Subgrade Repair	864	SF	\$35.00	\$30,240.00	572.00	\$20,020.00	\$20,020.00	\$0.00
13	Crack Seal Treatment	26846	LF	\$0.50	\$13,423.00	12473.00	\$6,236.50	\$6,236.50	\$0.00
14	Asphalt Concrete (Leveling Coarse, Type A 1/2" Max, 1/2" Thk.)	433	Ton	\$86.00	\$37,238.00	692.50	\$59,555.00	\$59,555.00	\$0.00
15	Asphalt Concrete (Overlay, Type A 3/4" Max., 0.15' Min. Thk.)	1545	Ton	\$83.00	\$128,235.00	1540.15	\$127,832.45	\$127,832.45	\$0.00
16	Pavement Reinforcing Fabric	15450	SY	\$6.00	\$92,700.00	14806.00	\$88,836.00	\$88,836.00	\$0.00
17	Concrete Curb and Gutter (Type A2-6)	719	LF	\$31.00	\$22,289.00	936.60	\$29,034.60	\$29,034.60	\$0.00
18	Minor Concrete (Sidewalks/Gutter Depressions/Valley Gutter)	35	CY	\$650.00	\$22,750.00	31.30	\$20,345.00	\$20,345.00	\$0.00
19	Minor Concrete (Curb Ramps/Driveway Flares)	45	CY	\$650.00	\$29,250.00	36.18	\$23,517.00	\$23,517.00	\$0.00
20	Detectable Warning Surface (Truncated Domes)	453	SF	\$35.00	\$15,855.00	353.80	\$12,383.00	\$12,383.00	\$0.00
21	Thermoplastic Pavement Markings	1924	SF	\$5.00	\$9,620.00	1831.00	\$9,155.00	\$9,155.00	\$0.00
22	4-Inch Thermoplastic Traffic Stripe	5332	LF	\$0.60	\$3,199.20	5332.00	\$3,199.20	\$3,199.20	\$0.00
23	8-Inch Thermoplastic Traffic Stripe	200	LF	\$0.60	\$120.00	200.00	\$120.00	\$120.00	\$0.00
24	Pavement Marker (Retroreflective)	166	EA	\$9.00	\$1,494.00	157.00	\$1,413.00	\$1,413.00	\$0.00
25	Reset Roadside Sign, 1-Post	5	EA	\$150.00	\$750.00	5.00	\$750.00	\$750.00	\$0.00
26	Remove Existing Bulletin Sign Post	1	EA	\$200.00	\$200.00	1.00	\$200.00	\$200.00	\$0.00
27	Relocate Existing Fire Hydrant	1	EA	\$6,000.00	\$6,000.00	1.00	\$6,000.00	\$6,000.00	\$0.00
CONTRACT TOTALS					\$517,673.00	-----	\$506,234.85	\$506,234.85	\$0.00

Item No.	Description	Contract Quantity	Unit	Unit Price	Contract Amount	Quantity Complete to Date	Amount Complete to Date	Amount Previously Certified for Payment	Amount Currently Due
Change Order #1	Work Directives 1-5	1	FA	\$20,054.57	\$20,054.57	1	\$20,054.57	\$0.00	\$20,054.57
EXTRA WORK SUBTOTAL					\$20,054.57	-----	\$20,054.57	\$0.00	\$20,054.57
CONTRACT TOTALS					\$537,727.57	-----	\$526,289.42	\$506,234.85	\$20,054.57

Total Earned To Date \$526,289.42
 Total Retention To Date \$52,628.94
 Previous Payment \$455,611.37
AMOUNT DUE \$18,049.11

Recommended by:


 Merritt Perry, Construction Manager

12/2/10
 Date

MERCER-FRASER COMPANY
 PO Box 1006 • Eureka, CA 95502
 Office: (707) 443-6371 • Fax (707) 443-0277
PROGRESS PAYMENT ESTIMATE

City of Rio Dell

Estimate # 3
 Month Ending: 11/30/2010
 MFCO Job No: 1779

BID ITEM	DESCRIPTION	QTY	UN	COST EACH	TOTAL COST	COMPLETE TO DATE	COMPLETE PREVIOUS	COMPLETE THIS PER	EARNED TO DATE	EARNED PREVIOUS	EARNED THIS PERIOD
ORIGINAL CONTRACT											
1	Mobilization / Demobilization	1.00	LS	\$ 6,000.00	\$ 6,000.00	1	1.0	0	\$ 6,000.00	\$ 6,000.00	\$ -
2	Construction Area Signs	13.00	EA	\$ 200.00	\$ 2,600.00	13.0	13.0	0.0	\$ 2,600.00	\$ 2,600.00	\$ -
3	Traffic Control	1.00	LS	\$ 23,000.00	\$ 23,000.00	1.0	1.0	0	\$ 23,000.00	\$ 23,000.00	\$ -
4	Storm Water Pollution Prevention	1.00	LS	\$ 500.00	\$ 500.00	1.0	1.0	0.0	\$ 500.00	\$ 500.00	\$ -
5	Adjust Utility Cover to Grade	37.00	EA	\$ 350.00	\$ 12,950.00	37.0	37.0	0.0	\$ 12,950.00	\$ 12,950.00	\$ -
6	Adjust Existing Manhole Cover to Grade	7.00	EA	\$ 375.00	\$ 2,625.00	5.0	5.0	0.0	\$ 1,875.00	\$ 1,875.00	\$ -
7	Type G1 Drainage Inlet	1.00	EA	\$ 5,000.00	\$ 5,000.00	1.00	1.0	0.0	\$ 5,000.00	\$ 5,000.00	\$ -
8	Cold Plane Asphalt Concrete (0.20' MAX)	5620.00	SY	\$ 2.50	\$ 14,050.00	5620.0	5620.0	0.0	\$ 14,050.00	\$ 14,050.00	\$ -
9	Remove Concrete (Curb, Gutter and Sidewalk)	650.00	SY	\$ 15.00	\$ 9,750.00	829.14	829.1	0.0	\$ 12,437.10	\$ 12,437.10	\$ -
10	Class 2 Agg Base	113.00	CY	\$ 55.00	\$ 6,215.00	104.8	104.8	0.0	\$ 5,764.00	\$ 5,764.00	\$ -
11	Replace Asphalt Concrete Surfacing	105.00	CY	\$ 200.00	\$ 21,000.00	67.31	67.3	0.0	\$ 13,462.00	\$ 13,462.00	\$ -
12	Subgrade Repair	864.00	SF	\$ 35.00	\$ 30,240.00	572.0	572.0	0.0	\$ 20,020.00	\$ 20,020.00	\$ -
13	Crack Seal Treatment	26846.00	LF	\$ 0.50	\$ 13,423.00	12473.0	12473.0	0.0	\$ 6,236.50	\$ 6,236.50	\$ -
14	Asphalt Concrete (Leveling Crse - Type A 1/2"Max,1/2"Thk)	433.00	TON	\$ 86.00	\$ 37,238.00	692.5	692.5	0.0	\$ 59,555.00	\$ 59,555.00	\$ -
15	Asphalt Concrete (Overlay - Type A 3/4"Max,0.15' Thk)	1545.00	TON	\$ 83.00	\$ 128,235.00	1540.15	1540.2	0.0	\$ 127,832.45	\$ 127,832.45	\$ -
16	Pavement Reinforcing Fabric	15450.00	SY	\$ 6.00	\$ 92,700.00	14806.0	14806.0	0.0	\$ 88,836.00	\$ 88,836.00	\$ -
17	Concrete Curb and Gutter (Type A2-6)	719.00	LF	\$ 31.00	\$ 22,289.00	936.6	936.6	0.0	\$ 29,034.60	\$ 29,034.60	\$ -
18	Minor Conc (Sidewlk, Gutter Depression, Valley Gutter)	35.00	CY	\$ 650.00	\$ 22,750.00	31.3	31.3	0.0	\$ 20,345.00	\$ 20,345.00	\$ -
19	Minor Concrete (Curb Ramp, Driveway Flare)	45.00	CY	\$ 650.00	\$ 29,250.00	36.18	36.2	0.0	\$ 23,517.00	\$ 23,517.00	\$ -
20	Detectable Warning Surface (Truncated Domes)	453.00	SF	\$ 35.00	\$ 15,855.00	353.8	353.8	0.0	\$ 12,383.00	\$ 12,383.00	\$ -
21	Thermoplastic Pavement Markings	1924.00	SF	\$ 5.00	\$ 9,620.00	1831.0	1831.0	0.0	\$ 9,155.00	\$ 9,155.00	\$ -
22	4-inch Thermoplastic Traffic Stripe	5865.00	LF	\$ 0.60	\$ 3,519.00	5332.0	5332.0	0.0	\$ 3,199.20	\$ 3,199.20	\$ -
23	8-inch Thermoplastic Traffic Stripe	200.00	LF	\$ 0.60	\$ 120.00	200.0	200.0	0.0	\$ 120.00	\$ 120.00	\$ -
24	Pavement Marker (Retroreflective)	166.00	EA	\$ 9.00	\$ 1,494.00	157.0	157.0	0.0	\$ 1,413.00	\$ 1,413.00	\$ -
25	Reset Roadside Sign, 1-Post	7.00	EA	\$ 150.00	\$ 1,050.00	5.0	5.0	0.0	\$ 750.00	\$ 750.00	\$ -
26	Remove Existing Bulletin Sign Post	1.00	EA	\$ 200.00	\$ 200.00	1.0	1.0	0.0	\$ 200.00	\$ 200.00	\$ -
27	Relocate Existing Fire Hydrant	1.00	EA	\$ 6,000.00	\$ 6,000.00	1.0	1.0	0.0	\$ 6,000.00	\$ 6,000.00	\$ -
TOTAL ORIGINAL CONTRACT					\$ 517,673.00	98%	98%		\$ 506,234.85	\$ 506,234.85	\$ -
CHANGE ORDERS / PROPOSAL REQUESTS											
CCO 1	Various Drainage, Concrete & Striping Changes	1	LS	20,054.57	20,054.57	1.0	0.0	1.0	20,054.57	-	\$ 20,054.57
					-			-	\$ -	\$ -	
TOTAL CHANGE ORDERS					\$ 20,054.57	100%		100%	\$ 20,054.57	\$ -	\$ 20,054.57
TOTAL ADJUSTED CONTRACT AMOUNT					\$ 537,727.57	98%	94%	4%	\$ 526,289.42	\$ 506,234.85	\$ 20,054.57

TOTAL AMOUNT DUE \$ 526,289.42
 RETENTION (10% of Total Amount Due) 52,628.94
 SUBTOTAL \$ 473,660.48
 LESS AMOUNT PAID TO DATE 455,611.37
AMOUNT DUE THIS PAY REQUEST \$ 18,049.11

Approved By: 
 MERCER-FRASER COMPANY



CHANGE ORDER

PROJECT:
CITY OF RIO DELL
WILDWOOD AVENUE PAVING AND PEDESTRIAN
IMPROVEMENT PROJECT

CHANGE ORDER No.: **21**

DATE: DECEMBER 2, 2010

PAGE: 1 OF 2

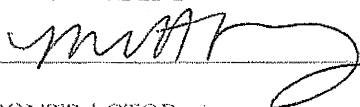
CONTRACTOR: Mercer-Fraser Company

DESCRIPTION of CHANGE: See Attached Work Directives


No.	DESCRIPTION	AMOUNT
1	Work Directive No. 1- Remove Tree, Lower Water Service, Install Drainage Inlet	\$844.58
2	Work Directive No. 2- Remove and Replace Driveway at Douglas and Wildwood Avenue (Collins' Tree Service Yard)	\$3,037.85
3	Work Directive No. 3- Remove Curb Ramp (Grundmans')	\$3,920.70
4	Work Directive No. 4- Add Arrows and Striping	\$2,467.16
5	Work Directive No. 5- Drainage Repair at Monument and Wildwood Avenue	\$9,784.28
6	Addition of Federal Wage Rate General Decision Number: CA100004 to the contract (see Attachment A).	\$0
TOTAL		\$20,054.57

ADJUSTMENT OF CONTRACT SUM		ADJUSTMENT OF CONTRACT TIME	
Original Contract Sum	\$517,673.00	Original Contract Time	70 Days
Prior Adjustments	\$0	Prior Adjustments	0 Days
Contract Sum Prior to this Change	\$517,673.00	Contract Time Prior to this Change	70 Days
Adjustment for this Change	\$20,054.57	Adjustment for this Change	48 Days
Revised Contract Sum	\$537,727.57	Revised Contract Time	118 Days

CONTRACTOR WAIVERS ANY CLAIM FOR FURTHER ADJUSTMENTS FOR THE CONTRACT SUM AND THE CONTRACT TIME RELATED TO THE ABOVE DESCRIBED CHANGE IN THE WORK.

ENGINEER
 RECOMMENDED BY: _____ DATE: _____


OWNER
 APPROVED BY: _____ DATE: _____

CONTRACTOR
 ACCEPTED BY: _____ DATE: _____
 12/2/10



PROJECT WILDWOOD AVENUE PAVING AND PEDESTRIAN IMPROVEMENT PROJECT PROJECT NO. 0106109009

CONTRACTOR MERCER FRASIER (RAO CONSTRUCTION - SUB)

ENGINEER MERRITT PERRY DATE JULY 15, 2010

WORK DIRECTIVE NO. 1

In order to accommodate the construction of the sidewalk where conditions in the field vary from the plans the following changes shall be made:

1. At Sta 28+30 south of Monument Road a one-inch steel pipe was uncovered in preparation for the installation of the ADA ramp. The deteriorating steel pipe had a hole in it, which caused a leak. To allow for construction of an ADA compliant ramp the water line will need to be lowered. The contractor is directed to replace approximately 12 feet 1-inch steel pipe with PVC pipe and lower pipe and water meter to allow for the installation of the ADA ramp at this location. The estimated cost of this repair is \$400. (7/15/10)
2. Remove small tree at the intersection of Cedar Street and Wildwood Avenue at STA 17+20 needs to be removed to allow for ADA compliant sidewalk and reinstallation of the street sign. The estimated cost of the tree removal is approximately \$400. (7/13/10)
3. Install 10 linear feet of 4-inch PVC drain pipe and tie to existing DI on Wildwood Avenue to Grout around pipe at connection to existing DI to provide drainage concrete gutter where ponding currently occurs to avoid drainage problems at construction of new ramp at the intersection of Ash and wildwood Avenue near station 20+75. The estimated cost of the to place the pipe and DI is \$600. (7/15/10)

This additional work will be completed on a time and materials basis for an estimated amount of \$1,400.

The total estimated increase for this change is estimated to be approximately \$1,400.

Cost Basis:

Lump Sum Time and Material Contract Unit Prices Agreed Unit Prices

Prepared by: Merritt Perry, Resident Engineer

Signature and Title

Copies to:

Date: July 15, 2010

• Randy Jensen, Public Works Director

If a Change Order is contemplated (or this is an item in dispute), this instruction shall be authorized by the Public Works Director.

Authorized by: Randy Jensen

Date: July 15 2010



PROJECT WILDWOOD AVENUE PAVING AND PEDESTRIAN IMPROVEMENT PROJECT PROJECT NO. 0106109009
 CONTRACTOR MERCER FRASIER (RAO CONSTRUCTION – SUB)
 ENGINEER MERRITT PERRY DATE SEPTEMBER 15, 2010

WORK DIRECTIVE NO. 2

As shown on the plans and specifications the driveway at Station 13+20 was removed and replaced with a short section of sidewalk to allow for the installation of an accessible curb ramp at the southwest corner of Wildwood Avenue and Douglas Street. After installation of the ramp the City requested that the driveway be replaced to satisfy issues with the private landowner at that location.

Therefore, the contractor is directed to remove the portion of sidewalk as needed to replace the driveway as directed by the Engineer.

This additional work will be completed on a time and materials basis for an estimated amount of \$4,000.

The total estimated increase for this change is estimated to be approximately \$4,000.

Cost Basis:

Lump Sum Time and Material Contract Unit Prices Agreed Unit Prices


Prepared by: Merritt Perry, Resident Engineer
Signature and Title

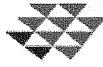
Copies to:

Date: September 15, 2010

• Randy Jensen, Public Works Director

If a Change Order is contemplated (or this is an item in dispute), this instruction shall be authorized by the Public Works Director.

Authorized by:  Date: SEPT 15, 2010



PROJECT WILDWOOD AVENUE PAVING AND PEDESTRIAN IMPROVEMENT PROJECT PROJECT NO. 0106109009

CONTRACTOR MERCER FRASIER (RAO CONSTRUCTION - SUB)

ENGINEER MERRITT PERRY DATE OCTOBER 1, 2010

WORK DIRECTIVE NO.3

As shown on the plans a new curb ramp was constructed at Station 28+38. After receiving complaints from the adjacent property owner, the City requested that the driveway be replaced to satisfy issues with the private landowner at that location.

Therefore, the contractor is directed to remove the curb ramp and replace it with sidewalk as directed by the Engineer.

This additional work will be completed on a time and materials basis for an estimated amount of \$3,000.

Cost Basis:

Lump Sum Time and Material Contract Unit Prices Agreed Unit Prices

Prepared by: Merritt Perry, Resident Engineer

Signature and Title

Copies to:

Date: October 1, 2010

• Randy Jensen, Public Works Director

If a Change Order is contemplated (or this is an item in dispute), this instruction shall be authorized by the Public Works Director.

Authorized by: Randy Jensen

Date: OCT 1 2010



PROJECT WILDWOOD AVENUE PAVING AND PEDESTRIAN IMPROVEMENT PROJECT PROJECT NO. 0106109009

CONTRACTOR MERCER FRASIER (RAO CONSTRUCTION - SUB)

ENGINEER MERRITT PERRY DATE OCTOBER 1, 2010

WORK DIRECTIVE NO. 4

To improve the project striping, the City requested that three additional Type IV Thermoplastic Arrow be added to the center turn lane between Stations 10+30 and 17+00 and to add additional striping for the diagonal parking spaces in front of the business on the east side of Wildwood Avenue between Bridge Street and Edwards Drive (28+50). Therefore the contractor is directed provide the additional striping as directed by the Engineer.

This additional work is to be completed on a time and materials basis with an estimated amount of \$3,000.

Cost Basis:

Lump Sum Time and Material Contract Unit Prices Agreed Unit Prices

Prepared by: Merritt Perry, Resident Engineer

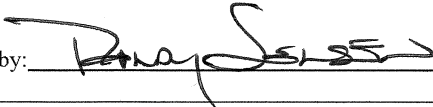
Signature and Title

Copies to:

Date: October 1, 2010

• Randy Jensen, Public Works Director

If a Change Order is contemplated (or this is an item in dispute), this instruction shall be authorized by the Public Works Director.

Authorized by: 

Date: Oct 1, 2010



PROJECT WILDWOOD AVENUE PAVING AND PEDESTRIAN IMPROVEMENT PROJECT PROJECT NO. 0106109009

CONTRACTOR MERCER FRASIER (RAO CONSTRUCTION - SUB)

ENGINEER MERRITT PERRY DATE NOVEMBER 12, 2010

WORK DIRECTIVE NO. 5

The existing curb and gutter near the northwest corner of the intersection of Monument Road (27+00) has a low area in the existing curb and gutter that was exposed as a part of this project. This low area causes ponding of water in the parking lane making it unusable for parking in wet weather. At the request of the Cit, the contractor is directed to remove and replace approximately 90 feet of existing concrete curb and gutter and a small portion of existing driveway and replace it with sidewalk as needed to allow for a curb and gutter with varying height to allow for positive drainage. This repair will also require the contractor to patch the asphalt with hot mix asphalt adjacent to the replaced curb and gutter.

This additional work is to be completed on a time and materials basis with an estimated amount of \$7,500.

Cost Basis:

- Lump Sum Time and Material Contract Unit Prices Agreed Unit Prices

Prepared by: Merritt Perry, Resident Engineer

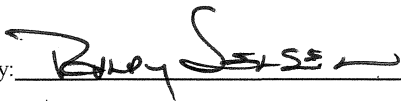
Signature and Title

Copies to:

Date: November 12, 2010

- Randy Jensen, Public Works Director

If a Change Order is contemplated (or this is an item in dispute), this instruction shall be authorized by the Public Works Director.

Authorized by: 

Date: Nov 12, 2010

For the benefit of City of Rio Dell
Exempt from Recording Fees
GC 27383

Return to:
Winzler & Kelly
633 Third Street
Eureka, CA 95501

NOTICE OF COMPLETION

NOTICE is hereby given that the undersigned, Merritt Perry, Civil Engineer with Winzler & Kelly, 633 Third Street, Eureka, CA 95501-0417, the agent of the owner of the improvements situated in the County of Humboldt, State of California, and described as follows, to wit:

Completed the furnishing of all labor, plant, equipment and supervision for the construction of the project. The work generally includes, but is not limited to cold planing existing asphalt concrete pavement, replacement asphalt concrete, paving, crosswalks, curb ramps, and thermoplastic striping.

That the City of Rio Dell as the owner did enter into a contract with Mercer-Fraser Construction Company, Inc. for the construction of:

Wildwood Avenue Paving and Pedestrian Improvement Project

That on November 27, 2010 the said contract, as a whole, was actually completed by Mercer-Fraser Company, Inc.

The name and address of the owner of said improvements is as follows:

City of Rio Dell
675 Wildwood Avenue
Rio Dell, CA 95562-1597

Winzler & Kelly, Consulting Engineers

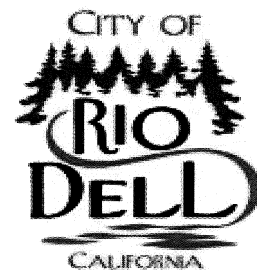
BY _____
Merritt Perry, PE
Project Manager

Verification for NON-INDIVIDUAL owner: I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am the City Manager of the aforesaid interest or estate in the property described in the above notice; that I have read the said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

Date and Place

(Ron Henrickson, City Manager)

675 Wildwood Ave.
Rio Dell, CA 95562



**CITY OF RIO DELL
STAFF REPORT
CITY COUNCIL AGENDA**

TO: Mayor and Members of the City Council
THROUGH: Ron Henrickson, Interim City Manager ~~VA~~
FROM: Karen Dunham, City Clerk
DATE: December 7, 2010
SUBJECT: Water Bill Claim Adjustment

RECOMMENDATION

The Council approves the water bill claim adjustment for Liz Samaniego at 444 Edwards Dr. in the amount of \$150.96.

BUDGETARY IMPACT

\$150.96 less revenue from the Water Fund

BACKGROUND AND DISCUSSION

This is a water bill adjustment claim for over \$100.00 which requires Council approval under Resolution No. 770. The average bill for this customer is \$82.92. The excessive use was the result of a broken water line. The customer repaired the leak by replacing 300 feet of water line. The request is a 50% adjustment of the difference between the historical average use and the bill of \$384.85, which amounts to \$150.96.

ATTACHMENTS:

Water Bill Adjustment Claim Form
Utility Billing Summary Report

**CITY OF RIO DELL
WATER BILL ADJUSTMENT CLAIM FORM**

Instructions

1. Only claims exceeding an average water bill by \$10.00 or more are eligible for adjustment.
2. Present this form (with receipts for corrective measures) to the Water Department at City Hall after completion.

NAME OF CLAIMANT: Liz Samaniego

MAILING ADDRESS OF CLAIMANT: P.O. Box 62 Rio Dell, CA

ADDRESS OF WATER SERVICE: same as above 95562

MONTH and REASON FOR EXCESSIVELY HIGH WATER BILL:

August - Present 2010
Multiple repairs to broken water line

Only claims involving water line leaks, breaks, vandalism, excusable neglect or City negligence will be considered.

I HAVE MADE THE FOLLOWING REPAIRS TO MY WATER SYSTEM:

Installed all new water line - 300ft.
Had to re-trench due to the fact that my
water line runs across my neighbors yard and
No adjustment will be considered unless appropriate repairs or corrective measures have been taken. Attach copies of receipts. *Completed over-grou and the leak is some where between the water meter.*

I, Liz Samaniego (Print name), declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was signed on 11/28, 2010, at Rio Dell, California.

Karen Hunham
City of Rio Dell - Witness

Liz Samaniego
Signature of Claimant

This Side to be Completed by City Staff Only

Number of claims submitted by claimant during previous twenty four months at any location and number of claims submitted by any claimant involving the same metered location: 0

Dates and locations of such claims: N/A

Claimants are allowed only ONE adjustment in any 24 month period

Does the claimant's reason for the requested adjustment constitute justifiable cause for the requested adjustment? yes

Has the claimant made sufficient repair or taken other appropriate corrective measures to reasonably prevent repeated problems? yes

Are copies of receipts attached? No

What is the amount of the bill disputed? \$38485 - 111 units

What is the claimant's average historical water bill? \$82.92 - 18 units

What is the difference? \$301.93 50% Credit amount is: \$150.96

Period used to calculate average water bill? Oct 09 - Oct 10

Note: Adjustments between \$10.00 and \$100.00 may be settled by the City Manager but may be submitted to the City Council, at the Managers sole discretion. Adjustments of \$100.00 or more must be approved by the City Council.

CITY MANAGER'S DISPOSITION:

APPROVE CLAIM Yes No

DENY CLAIM Yes No

Comments or Reason for Denial: _____

SUBMIT TO CITY COUNCIL Yes No

CM Signature: _____ Date: _____

CITY MANAGER'S RECOMMENDATION TO THE CITY COUNCIL:

APPROVE CLAIM _____ DENY CLAIM _____

COUNCIL ACTION (APPROVE/DENY) _____ DATE: _____

**CITY OF RIO DELL
U/B Summary Report**

Name: SAMANIEGO, ELIZABETH
Address: P. O. BOX 62
RIO DELL, CA 95562

Lookup: 1677

Location House Number Direction Street Description
444 EDWARDS DR 444 EDWARDS DR 444 EDWARDS DR/6-300

Serial Number Digits Multiplier Route Sequence Description
04033546 8 1 06 0300

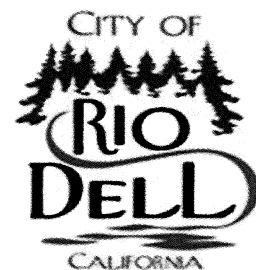
<u>Billing</u>	<u>11/29/2010</u>	<u>10/27/2010</u>	<u>9/27/2010</u>	<u>8/27/2010</u>	<u>7/27/2010</u>	<u>6/28/2010</u>	<u>5/27/2010</u>	<u>4/28/2010</u>	<u>3/29/2010</u>	<u>2/26/2010</u>
Beginning Balance	821.92	627.49	550.97	469.33	421.62	412.06	384.55	181.76	178.26	385.37
LateChg	41.03	35.15	25.10	20.32	19.53	18.89	18.65	18.17	0.00	0.00
Sewer	120.26	120.26	120.26	120.26	120.26	116.76	116.76	116.76	116.76	116.76
Consumption	111	82	64	40	18	17	14	12	11	9
ShutOff	0.00	0.00	0.00	0.00	35.00	0.00	0.00	0.00	0.00	0.00
Water	384.85	290.02	231.16	152.68	82.92	78.46	72.10	67.86	65.74	61.50
Consumption	111	82	64	40	18	17	14	12	11	9
Payments	400.00	251.00	300.00	211.62	210.00	204.55	180.00	0.00	179.00	385.37
Activity Date	11/15/2010	10/18/2010	9/10/2010	8/09/2010	7/19/2010	6/14/2010	5/14/2010		3/29/2010	2/16/2010
Ending Balance	968.06	821.92	627.49	550.97	469.33	421.62	412.06	384.55	181.76	178.26
444 EDWARDS DR										
04033546	1239	1128	1046	982	942	924	907	893	881	870
Reading Date	11/29/2010	10/27/2010	9/27/2010	8/27/2010	7/27/2010	6/28/2010	5/27/2010	4/28/2010	3/29/2010	2/26/2010
Consumption	111	82	64	40	18	17	14	12	11	9
Days	33	30	31	31	29	32	29	30	31	29

Jan 10
12 units
67.86

Dec 09
11 units
65.74

Nov 09
10 units
63.62

Oct 09
9 units
61.50



*675 Wildwood Avenue
Rio Dell, CA 95562*

STAFF REPORT

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: December 7, 2010

SUBJECT: Resolution 1099-2010 dedicating net revenues of the Sewer Funds to payment of any and all Clean Water State Revolving Fund Program financing.

RECOMMENDATION

Staff recommends that council approve Resolution 1099-2010 dedicating net revenues of the Sewer Funds to payment of any and all Clean Water State Revolving Fund Program financing on the City of Rio Dell Wastewater System Improvement Project

BACKGROUND AND DISCUSSION

The City is in process of filing for a financial assistance agreement application, not to exceed \$15,000,000.00 (expected to total \$12.8 million) with the State Water Resources Control Board for the Wastewater Effluent Disposal and Facilities Project and is required to submit a resolution of the City Council designating funds for repayment of any loans approved by the SWRCB. Approval of this resolution is a requirement of the application process.

The City will subsequently propose and adopt a new Prop 218 compliant rate structure to make any debt service payments required. This process is expected to begin in January of 2011.

RESOLUTION NO. 1099-2010

**RESOLUTION OF THE RIO DELL CITY COUNCIL
DEDICATING A SOURCE OF REVENUE FOR REPAYMENT OF THE
STATE REVOLVING FUND LOAN PROJECT NO. _____**

WHEREAS, the City of Rio Dell (“City”) has determined that there is a need to improve the City’s wastewater treatment and disposal system to serve the City’s current and other potential future customers, and

WHEREAS, the City will make original expenditures estimated at \$13 million for said work from the improvement district funds and has arranged to obtain cost-effective financing arrangements, including a State Revolving Fund Loan Project No. _____.

NOW, THEREFORE BE IT RESOLVED the Rio Dell City Council hereby dedicates net revenues of the Sewer Operating Fund to payment of any and all Clean Water State Revolving Fund Program financing on the City of Rio Dell Wastewater System Improvement Project No. C-06-7401-110. This dedicated source of revenue shall remain in effect throughout the term of such financing unless modification or change or such dedication is approved in writing by the State Water Resources Control Board.

I HEREBY CERTIFY that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Rio Dell City Council at a regular meeting of said Council held on the 7th day of December, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Julie Woodall, Mayor

ATTEST:

Karen Dunham, City Clerk



675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532

TO: Honorable Rio Dell City Council

THROUGH: Ron Henrikson, City Manager *RH*

FROM: Randy Jensen, Acting P.W. Director, and Carla Ralston, P.W. Admin. *RD.*

DATE: December 7, 2010

SUBJECT: Wendt Construction Revised Proposal - Monument Culvert and Drain Inlet Repair

IT IS RECOMMENDED THAT THE CITY COUNCIL:

Approve the Revised Proposal # 1223 from Wendt Construction for the amount of \$11,921.25 for the Repair and Replacement of a Failed Culvert and Two Drain Inlets and Associated Road Paving. (ACTION)

BACKGROUND AND DISCUSSION

On October 19th, the City Council approved Proposal #1223 from Wendt Construction in the amount of \$9,600.00 to preform repairs to a failed culvert and drain inlets on Monument Road. Since that time it has become apparent that there was no easement granted for a section of the roadside where the culvert and storm drain need to be replaced.

Due to the inability to reach an agreement with the current property owner additional work is now required to relocate the culvert and storm drains to fall within the City Right of Way.

BUDGETARY IMPACT

Funding for this project is to come from 5115-09-(2)

ATTACHMENTS:

Original Proposal # 1223 from Wendt Construction in the amount of \$9,600.00 and the Revised Proposal #1223 from Wendt Construction for \$11,921.25.

WENDT CONSTRUCTION CO., INC.

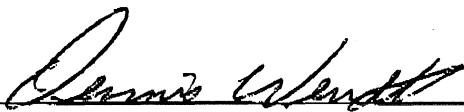
1660 NEWBURG ROAD
 FORTUNA, CA 95540
 (707) 725-5641 LIC. #622738

PROPOSAL

DATE	PROPOSAL #
11/18/2010	1223

NAME / ADDRESS
City of Rio Dell 675 Wildwood Ave Rio Dell CA 95562

			PROJECT
DESCRIPTION	QTY	COST	TOTAL
CITY OF RIO DELL MONUMENT ROAD			
INSTALL 185' 18" ADS N/12	185	40.00	7,400.00
INSTALL 2- 24" X 24" DRAIN INLETS		2,200.00	2,200.00
SAW CUT 230 FT	230	3.00	690.00
435 SQ FT OF PAVING	435	3.75	1,631.25
CITY TO SUPPLY ONE FLAGMAN FOR 2 DAYS			
		TOTAL	\$11,921.25



ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

ATTN JUSTIN

WENDT CONSTRUCTION CO., INC.

1660 NEWBURG ROAD
 FORTUNA, CA 95540
 (707) 725-5641 LIC. #622738

PROPOSAL

DATE	PROPOSAL #
9/20/2010	1223

NAME / ADDRESS
City of Rio Dell 675 Wildwood Ave Rio Dell CA 95562

			PROJECT
DESCRIPTION	QTY	COST	TOTAL
CITY OF RIO DELL MONUMENT ROAD			
INSTALL 185' 18" ADS N/12	185	40.00	7,400.00
INSTALL 2- 24" X 24" DRAIN INLETS		2,200.00	2,200.00
CITY TO SUPPLY ONE FLAGMAN FOR 2 DAYS			
		TOTAL	\$9,600.00

Dennis Wendt

ACCEPTANCE OF PROPOSAL: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



To: Honorable Rio Dell City Council
Through: Ron Henrickson, City Manager *[Signature]*
From: Graham Hill, Chief of Police *[Signature]*
Date: December 7, 2010
Subject: Operational Agreement between the Rio Dell Police Department and North Coast Rape Crisis Team

Council Action

Authorize the Chief of Police to sign an Operational Agreement between the Rio Dell Police Department and the North Coast Rape Crisis Team.

Background

For many years the Rio Dell Police Department has worked closely with the North Coast Rape Crisis Team in an effort to reduce the impact on victims of sexual assault and offer as much assistance as possible to those affected by this type of crime. The role of the North Coast Rape Crisis Team is invaluable in getting services to those individuals that need them, and by working closely with local law enforcement both organizations can be more effective in helping the victim and bringing the perpetrators of these types of crimes to justice.

I have worked closely with the North Coast Rape Crisis Team during several investigations in the past and have always been impressed with that organizations performance as a victim advocate. This operational agreement essentially memorializes our commitment to work together and help victims of sexual assault into the future.

Recommendation

Approve action as described.

Attachments

1. Operational Agreement

OPERATIONAL AGREEMENT

This Operational Agreement stands as evidence that Rio Dell Police Department (RDPD) and the North Coast Rape Crisis Team (NCRCT) intend to work together towards the mutual goal of providing maximum available assistance for sexual assault survivors residing in Humboldt County. Both agencies believe that implementation of the North Coast Rape Crisis Team's Humboldt Rape Crisis 20010-2013 grant proposals as described herein will further this goal. To this end each agency agrees to participate in the program by coordinating/providing the following services:

1. **RDPD** agrees to inform sexual assault survivors regardless of age or gender of crisis intervention services available from **NCRCT**.
2. **RDPD** agrees to contact **NCRCT** when appropriate so that **NCRCT** crisis workers can offer crisis intervention services to sexual assault survivors.
3. **NCRCT** will remain available 24 hours a day for crisis intervention, accompaniment and/or advocacy of sexual assault victim/survivors.
4. **NCRCT** agrees to provide a confidential space for sexual assault interviews by **RDPD** at client's request.
5. **NCRCT** agrees to refer sexual assault survivors to **RDPD** when appropriate.
6. **NCRCT** and **RDPD** agree to provide each other with cross training on a regular basis.

We, the undersigned, do hereby approve this document.

This agreement may be amended at any time with the consent of both agencies.

BY:

_____ Date _____
 Graham Hill
 Chief of Police
 Rio Dell Police Department

Maryann Hayes Mariani Date 12-2-10
 Maryann Hayes Mariani
 Client Services Coordinator
 North Coast Rape Crisis Team

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



To: Honorable Rio Dell City Council

Through: Ron Henrickson, City Manager *WH*

From: Graham Hill, Chief of Police *GH*

Date: December 7, 2010

Subject: Disposal of surplus weapons

Council Action

By motion, authorize the Chief of Police to dispose of surplus weapons as recommended.

Background

Based on prior council discussion it is the intention of the police department to take the following action upon final approval from the City Council:

We will compile a detailed list of the weapons described below, and provide it to a minimum of three federally licensed firearms dealers. The weapons will be made available for interested dealers to view on December 16th, 2010 and January 3rd, 2011. We will accept offers for the weapons no later than January 6th, 2011. The highest offer will be evaluated, and if accepted a transfer of ownership will be made pursuant to California and Federal law.

In regards to the H&K Model 91 I will be donating that weapon to the Humboldt County Sheriff's Office for their uses. That weapon cannot be sold in California and I am not interested in it falling into untrained hands in another state.

- Smith and Wesson Model SW40V- .40 caliber semi automatic handgun
- Smith and Wesson Model 915- 9mm semi automatic handgun (2)
- US Carbine (30 Carbine)- .30 caliber semi automatic rifle
- Ruger Mini 14 - .223 semi automatic rifle (2)
- H&K Model 91 - .308 semi automatic rifle

Budgetary Impact

Revenue from the sale of surplus weapons will be deposited into the General Fund.

Recommendation

Approve the Chief of Police to; donate the Rio Dell Police Department's H&K Model 91 .308 rifle to the Humboldt County Sheriff's office; and to offer for sale the remaining weapons described below to several federally licensed firearms dealers and accept the highest bid no later than January 6th, 2011.

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



To: Honorable Rio Dell City Council
Through: Ron Henrickson, City Manager *RHX*
From: Randy Jensen, Acting P.W. Director and Carla Ralston, Public Works Admin.
Date: December 7, 2010
Subject: **Solids & Disinfection Management Progress Payment Request No.10 from KG Walters Co., Inc.**

Recommendation

Authorize Payment of Progress Pay Request No.10 to KG Walters Co., Inc. in the amount of **\$155,186.08** that also takes into account 10% retention for work performed on the Solids and Disinfection Management Project and Direct the City Manager to sign the Notice of Completion.

Budgetary Impact

\$76,779.00 of Progress Payment Request No.10 is funded by the City's State Water Resources Control Board Grant for the Solids and Disinfection Management Project, and the Change Order's costs totaling \$78,407.08 are being funded from Sewer Capital funds currently budgeted for Wastewater Capital Improvements.

Discussion

The project has reached completion and this pay request reflects all progress made in the final portion of the project. There were eight change orders (CO) processed for this period, as recommended by the City Engineer and approved by the Public Works Director. The most costly change orders were for additional concrete and paving work needed to support the permanent installation of plant components and the solids handling building. This became necessary when the location of Project 2 was changed from the Eel River Site to the existing Public Works Corp Yard.

Attachments

- (1) Memorandum from Winzler & Kelley Consulting Engineers
- (2) Progress Pay Request No.10 from KG Walters Co., Inc. and supporting documents
- (3) "Example" Notice of Completion form
- (4) "Example" Waiver and Release Upon Final Payment form



MEMORANDUM

(Sent via email)

TO: Rio Dell City Council
Ron Henrickson, City Manager
Stephanie Beauchaine, Finance Director
Randy Jensen, Interim Public Works Director

FROM: Rebecca Crow, Project Manager *RC*

DATE: December 1, 2010

RE: **Solids and Disinfection Management Project Status Update and Progress Payment Request No.10 from KG Walters Co., Inc., and Final Payment and Notice of Completion**

JOB #: 01061-09-018-11212

PROJECT STATUS

The Solids and Disinfection Management Project has reached completion. This pay period reflects the progress made in the final portion of the project. The headworks screening and grit removal equipment installation and start-up were completed along with the final installation and start-up of the belt filter press, sodium hypochlorite and sodium bisulfate feed, and chemical storage equipment. The facility drainage swale and final grading and paving were completed during this pay period, as well as the final electrical and instrumentation equipment installation and SCADA programming. Other items completed were the final punch list and Contractor demobilization. The completion of this project is a large step forward in providing a more efficient and functional wastewater treatment facility.

Eight change orders were processed in this last pay period. Given the change in the permanent facility location and the small design window allotted by the funding source, the total percentage of all project change orders is at just over 6% of the total construction cost.

- Change Order No. 14 was for \$1,042.68 to install an additional railing section at the headworks to improve worker safety
- Change Order No. 15 was for \$49,044.11 to prepare the ground in the new fabric covered solids handling building which was necessary when the building location became permanent to this site
- Change order No. 16 was for \$12,127.68 for the installation of permanent concrete slab to support the sodium bisulfite tanks, which store de-chlorination chemicals
- Change Order No. 17 was for \$1,391.01 for the fabrication of headworks grating plates for increased worker safety around the new headworks channels

- Change Order No. 18 was for \$2,000.00 for the installation of a transformer to step supply voltage down from 480v to 240v for the Air Gap system
- Change Order No. 19 was for \$2,117.50 for additional conduit needed for communication linking from the onsite sodium hypochlorite generator controller to the existing SCADA system
- Change Order No. 20 was for \$18,762.00 for additional paving inside the belt filter press building once the building location became permanent, a 4-ft wide addition to the headworks access road, and paving addition in front of the operations building
- Change Order No. 21 was for \$634.00 for the repair of the unmarked electrical conduit for the front entry gate damaged during the potable water excavation

The last piece of work completed was the Air Gap modifications. The modifications were necessary due to structural and other equipment deficiencies in the package Air Gap skid as supplied to the City by KG Walters. The modifications to the Air Gap system were completed as follows:

- The faulty steel Air Gap skid support has been completely removed to prevent water from accumulating and rusting the skid and skid mounted equipment connections
- All of the Air Gap equipment has been bolted directly to the new slab
- The faulty steel Air Gap tank has been replaced with a polyethylene tank
- The faulty float valve was replaced in kind
- Electrical connections damaged during the modifications have been replaced

Any potential future issues with the Air Gap skid (or any other new plant process equipment) are considered warranty items which mean that any future claims will be covered during the first year of use by the Contractor's bond

FINAL PAYMENT and NOTICE OF COMPLETION

We have received the updated December 2nd Progress Payment Request No. 10 from KG Walters Construction Co., Inc. The pay request is based on the bid schedule lump sum breakdown provided by the Contractor and the actual quantities of work completed. We recommend approval of the Progress Pay Request No.10. We recommend that the City pay \$155,186.08 which incorporates withholding the final 10% retention. Payment to the Contractor is due within 30 days of the completed progress pay request.

Rio Dell City Council
December 2, 2010

Page 3 of 3

A summary table is attached that includes our calculation for the payment due to the Contractor as well as the Contractor's updated invoices and detailed cost breakdown. This pay request assumes that the City has paid all previous pay requests. Also attached to this memo is a copy of the project NOC which will be filed with the Office of the Humboldt County Recorder, after being signed by the City Manager.

Final payment to the Contractor, 10% retention in the amount of \$174,409.67, in accordance with the final estimate is contingent upon the Contractor furnishing the City with a signed written release of all claims against the City arising by virtue of the Contract, within 35-days after the filing of the NOC. Final payment of the retention would be submitted to the Contractor at the end of the 35-day period. Sample language of the claims release is attached. Any payment, however, final or otherwise shall not release the Contractor or its sureties from obligations under the Contract Documents or Performance and Payment Bonds.

Attachments:

Engineers Calculation for Progress Pay Request #10 for KG Walters Construction Co, Inc.
KG Walters Construction CO Pay Request Summary and Pay Application
Example Notice of Completion form
Example Waiver and Release Upon Final Payment form

cc:

Walt Johnson, KG Walters Construction Co., Inc.
Brad Sanders, KG Walters Construction Co., Inc.
Dave Backman, KG Walters Construction Co., Inc.
Merritt Perry, Winzler & Kelly

City of Rio Dell Solids and Disinfection Management Project
 Engineers Calculation for Progress Pay Request #10 for KG Walters Construction Co., Inc.
 Pay Period: August 23, 2010 through October 1, 2010
 Contractor Invoice Received: 10/13/2010 (via email)

Bid Schedule I - Base Bid Items

Item Name	Contract Amount (Lump Sum)	Quantity Complete to Date	Value Complete to Date	Less 10% Retention	Amount Previously Certified for Payment	Amount Currently Due
1 General Construction of Wastewater Treatment Plant Upgrades	\$ 1,556,000.00	100.0%	\$ 1,556,000.00	\$ 155,600.00	\$ 1,329,201.00	\$ 71,199.00
2 General Construction of City Financed Project Components	\$ 39,000.00	100%	\$ 39,000.00	\$ 3,900.00	\$ 30,915.00	\$ 4,185.00
3 Furnish and Install Required Sheeting, Shoring, and Bracing and Trench Safety	\$ 1,000.00	100%	\$ 1,000.00	\$ 100.00	\$ 900.00	\$ -
Alt Dechlorination Metering Pump Skid	\$ 46,000.00	100%	\$ 46,000.00	\$ 4,600.00	\$ 40,005.00	\$ 1,395.00
CONTRACT TOTALS	\$ 1,642,000.00	-----	\$ 1,642,000.00	\$ 164,200.00	\$ 1,401,021.00	\$ 76,779.00

Contract Change Orders

Item Name	Contract Amount	Quantity Complete to Date	Value Complete to Date	Less 10% Retention	Amount Previously Certified for Payment	Amount Currently Due
CO-001	\$ 1,000.00	100.0%	\$ 1,000.00	\$ 100.00	\$ 900.00	\$ -
CO-002	\$ -		\$ -	\$ -	\$ -	\$ -
CO-003	\$ 438.88	100.0%	\$ 438.88	\$ 43.89	\$ 394.99	\$ -
CO-004	\$ -		\$ -	\$ -	\$ -	\$ -
CO-005	\$ 2,238.00	100.0%	\$ 2,238.00	\$ 223.80	\$ 2,014.20	\$ -
CO-006	\$ 1,815.00	100.0%	\$ 1,815.00	\$ 181.50	\$ 1,633.50	\$ -
CO-007	\$ 637.00	100.0%	\$ 637.00	\$ 63.70	\$ 573.30	\$ -
CO-008	\$ 4,898.00	100.0%	\$ 4,898.00	\$ 489.80	\$ 4,408.20	\$ -
CO-009	\$ -		\$ -	\$ -	\$ -	\$ -
CO-010	\$ 1,131.50	100.0%	\$ 1,131.50	\$ 113.15	\$ 1,018.35	\$ -
CO-011	\$ 994.33	100.0%	\$ 994.33	\$ 99.43	\$ 894.90	\$ -
CO-012	\$ 615.00	100.0%	\$ 615.00	\$ 61.50	\$ 553.50	\$ -
CO-013	\$ 1,210.00	100.0%	\$ 1,210.00	\$ 121.00	\$ 1,089.00	\$ -
CO-014	\$ 1,042.68	100.0%	\$ 1,042.68	\$ 104.27	\$ -	\$ 938.41
CO-015	\$ 49,044.11	100.0%	\$ 49,044.11	\$ 4,904.41	\$ -	\$ 44,139.70
CO-016	\$ 12,127.68	100.0%	\$ 12,127.68	\$ 1,212.77	\$ -	\$ 10,914.91
CO-017	\$ 1,391.01	100.0%	\$ 1,391.01	\$ 139.10	\$ -	\$ 1,251.91
CO-018	\$ 2,000.00	100.0%	\$ 2,000.00	\$ 200.00	\$ -	\$ 1,800.00
CO-019	\$ 2,117.50	100.0%	\$ 2,117.50	\$ 211.75	\$ -	\$ 1,905.75
CO-020	\$ 18,762.00	100.0%	\$ 18,762.00	\$ 1,876.20	\$ -	\$ 16,885.80
CO-021	\$ 634.00	100.0%	\$ 634.00	\$ 63.40	\$ -	\$ 570.60
CONTRACT CHANGE ORDER TOTALS	\$102,096.69	-----	\$102,096.69	\$10,209.67	\$13,479.94	\$78,407.08
TOTALS	\$ 1,744,096.69		\$ 1,744,096.69	\$ 174,409.67	\$ 1,414,500.94	\$ 155,186.08



World Headquarters: P.O. Box 4359, Santa Rosa, CA 95402
(707) 527-9968 Fax (707) 527-0244 www.kgwalters.com

October 13th, 2010

* Back-up documents (REVISED) Dec. 1st 2010

Rebecca Crow
Winzler and Kelly
633 Third Street
Eureka, CA 95501

Re: Rio Dell Solids and Disinfection Mgmt Project

Dear Rebecca:

Attached please find our Pay Request #10 for the above referenced project. This is our final pay estimate and includes all approved and outstanding pay items along with retention. Please call me at the number above if you have any questions.

Thank you,

K.G. WALTERS CONSTRUCTION CO., INC.

Brad Sanders
Project Engineer/Estimator

WJ:vc
c: file

K.G. WALTERS CONSTRUCTION CO.	Pay Request #	10
Rio Dell Solids & Disinfection Mgmt Project	Date:	October 13, 2010
KGW Job #0908		Revised 12/1/10
PAY REQUEST SUMMARY SHEET		
Original Contract:		\$1,642,000.00
Approved Change Orders:		\$102,096.69
Current Contract Amount:		\$1,744,096.69
Total Contract Work Complete to Date:		\$1,642,000.00
Total Change Order Work:		\$102,096.69
	Sub Total:	\$1,744,096.69
Less 10% Retention:		
Less Previous Billing:		\$1,414,500.94
	Total Due this Period:	\$329,595.75
Total Billed to Date:	\$1,744,096.69	

K.G. WALTERS CONST. CO.			Pay Request # 10		
Rio Dell Solids & Disinfection Mgmt Project			10/13/2010		
KGW Job #0908					
CHANGE ORDERS					
CO'S	PCO#	TOTAL	PREVIOUS	THIS MONTH	TO DATE
CO 001	101	\$ 1,000.00	\$1,000.00	\$ -	\$ (1,000.00)
CO 002	102	\$ -	\$0.00		\$ -
CO 003	103	\$ 438.88	\$438.88	\$ -	\$ (438.88)
CO 004	104	\$ -	\$0.00		
CO 005	105	\$ 2,238.00	\$2,238.00	\$ -	\$ (2,238.00)
CO 006	106	\$ 1,815.00	\$1,815.00	\$ -	\$ (1,815.00)
CO 007	107	\$ 637.00	\$637.00	\$ -	\$ (637.00)
CO 008	110	\$ 4,898.00	\$4,898.00		\$ (4,898.00)
CO 009	118	\$ -	\$0.00		\$ -
CO 010	113	\$ 1,131.50	\$1,131.50		(\$1,131.50)
CO 011	117	\$ 994.33	\$994.33		(\$994.33)
CO 012	120	\$ 615.00	\$615.00		(\$615.00)
CO 013	119	\$ 1,210.00	\$1,210.00		(\$1,210.00)
CO 014	124	\$ 1,042.68	\$0.00	\$1,042.68	\$1,042.68
CO 015	109	\$ 49,044.11		\$49,044.11	
CO 016	111	\$ 12,127.68		\$12,127.68	
CO 017	125	\$ 1,391.01		\$1,391.01	
CO 020	112	\$ 18,762.00		\$18,762.36	
CO 018	122	\$ 2,000.00		\$2,000.00	
CO 019	123	\$ 2,117.50		\$2,117.50	
CO021	108	\$ 634.00		\$634.00	
TOTAL		\$ 102,096.69	\$14,977.71	\$87,119.34	-\$13,935.03

KG Walters Construction

Invoice #

10

Pay Application

Estimated completed by the end of the Month

Bid Item	Activity ID	Description	Value	Previous % Complete	Percent this Period	Percent to Date	Previously Invoiced	Amount to Date	Invoice Amount this Period
BI 1 General Construction WWTP Upgrade									
	00001	(Mobilization	\$80,000	100%		100%	\$80,000	\$80,000	\$0
	90000	(Start-Up Plant	\$3,000	0%	100%	100%	\$0	\$3,000	\$3,000
	90002	(Punchlist	\$5,500	0%	100%	100%	\$0	\$5,500	\$5,500
	90003	(Demobilization	\$7,000	0%	100%	100%	\$0	\$7,000	\$7,000
PR0070		Deliver Rebar	\$5,000	100%		100%	\$5,000	\$5,000	\$0
PR0110		Deliver Misc. Metals	\$28,000	100%		100%	\$28,000	\$28,000	\$0
PR0150		Deliver Channel Gates	\$20,000	100%		100%	\$20,000	\$20,000	\$0
PR0230		Deliver Dewatering Equip	\$203,000	100%		100%	\$203,000	\$203,000	\$0
PR0270		Deliver Grit Removal Equip	\$138,000	100%		100%	\$138,000	\$138,000	\$0
PR0310		Deliver Air Gap Equip	\$37,000	100%		100%	\$37,000	\$37,000	\$0
PR0350		Deliver Wash Press	\$75,000	100%		100%	\$75,000	\$75,000	\$0
PR0390		Deliver Bar Screen	\$75,000	100%		100%	\$75,000	\$75,000	\$0
PR0430		Deliver Pre Eng. Building	\$52,000	100%		100%	\$52,000	\$52,000	\$0
PR0470		Deliver Piping	\$23,000	90%	10%	100%	\$20,700	\$23,000	\$2,300
PR0600		Deliver Electrical	\$0	0%	100%	100%	\$0	\$0	\$0
PR0630		Complete Instrumentation	\$33,000	50%	50%	100%	\$16,500	\$33,000	\$16,500
PR0670		Deliver Disinfection Equip	\$85,000	100%		100%	\$85,000	\$85,000	\$0
SW0020		Demo AC Around Site	\$4,500	90%	10%	100%	\$4,050	\$4,500	\$450
SW0040		Relocate Light Base	\$2,500	80%	20%	100%	\$2,000	\$2,500	\$500
SW0050		Install S.S. Manholes	\$20,000	100%		100%	\$20,000	\$20,000	\$0
SW0060		Exc. & Place 12" SS	\$14,000	100%		100%	\$14,000	\$14,000	\$0
SW0070		Sawcut Exist. Headworks for New 12"	\$4,500	100%		100%	\$4,500	\$4,500	\$0
SW0080		Bypass Old/Activate New 12" Line	\$7,000	100%		100%	\$7,000	\$7,000	\$0
SW0090		Install BW Line	\$5,000	100%		100%	\$5,000	\$5,000	\$0
SW0100		Install 8" SD Lines	\$4,000	100%		100%	\$4,000	\$4,000	\$0
SW0110		Install 3" PW Lines	\$5,000	90%	10%	100%	\$4,500	\$5,000	\$500
SW0125		Install Conduit Ductbank	\$10,000	100%		100%	\$10,000	\$10,000	\$0
SW0140		Cut & Grade Vegetation Swale	\$5,000	0%	100%	100%	\$0	\$5,000	\$5,000
SW0150		Rough Grade Site	\$6,000	90%	10%	100%	\$5,400	\$6,000	\$600
SW0160		Fine Grade Site	\$6,000	80%	20%	100%	\$4,800	\$6,000	\$1,200
SW0170		Place/Compact Agg. Base	\$9,000	90%	10%	100%	\$8,100	\$9,000	\$900
SW0180		Place/Compact Agg. Concrete	\$15,750	0%	100%	100%	\$0	\$15,750	\$15,750

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KG Walters Construction

Invoice #

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Pay Application

Estimated completed by the end of the Month

Bid Item	Activity ID	Description	Value	Previous % Complete	Percent this Period	Percent to Date	Previously Invoiced	Amount to Date	Invoice Amount this Period
	HW0010	Excavate Hole For Headworks	\$31,000	100%		100%	\$31,000	\$31,000	\$0
	HW0020	FRP West Slab of HW Pour #1	\$9,550	100%		100%	\$9,550	\$9,550	\$0
	HW0030	FRP Walls @ West End of HW Pour #2	\$38,000	100%		100%	\$38,000	\$38,000	\$0
	HW0040	FRP Sloped Floor of HW	\$9,000	100%		100%	\$9,000	\$9,000	\$0
	HW0050	Backfill Bottom Level of HW	\$7,000	100%		100%	\$7,000	\$7,000	\$0
	HW0060	FRP Slab (Gritt Level) Pour #3	\$13,500	100%		100%	\$13,500	\$13,500	\$0
	HW0070	FRP Channels Up to Deck Level Pour #4	\$24,000	100%		100%	\$24,000	\$24,000	\$0
	HW0080	Backfill 2nd Level of HW	\$9,000	100%		100%	\$9,000	\$9,000	\$0
	HW0090	FRP Walls to Finish Grade Pour #5	\$69,000	100%		100%	\$69,000	\$69,000	\$0
	HW0100	Cut Manway in Existing HW Wall	\$5,000	100%		100%	\$5,000	\$5,000	\$0
	HW0110	Plug and Patch Hw Walls	\$8,000	100%		100%	\$8,000	\$8,000	\$0
	HW0120	Backfill HW to Finish Grade	\$20,000	100%		100%	\$20,000	\$20,000	\$0
	HW0130	Install Manual Bar Screens	\$7,000	100%		100%	\$7,000	\$7,000	\$0
	HW0140	Install Misc Metals / FRP Grating	\$9,000	50%	50%	100%	\$4,500	\$9,000	\$4,500
	HW0150	Install Mechanical Bar Screen	\$14,000	100%		100%	\$14,000	\$14,000	\$0
	HW0160	Install Turbo Grit Pump	\$18,000	95%	5%	100%	\$17,100	\$18,000	\$900
	HW0170	Install Channel Gates	\$5,500	90%	10%	100%	\$4,950	\$5,500	\$550
	HW0180	Underslab Piping @ HW	\$6,000	100%		100%	\$6,000	\$6,000	\$0
	HW0190	FRP Discharge Slab	\$11,000	100%		100%	\$11,000	\$11,000	\$0
	HW0200	Install Wahspress & Grit Removal Equipment	\$35,000	95%	5%	100%	\$33,250	\$35,000	\$1,750
	HW0210	Construct Above Grade Piping	\$12,000	95%	5%	100%	\$11,400	\$12,000	\$600
	HW0220	Run Conduits Throughout HW	\$7,000	90%	10%	100%	\$6,300	\$7,000	\$700
	HW0230	Pull Wire To HW Equipment	\$3,500	85%	15%	100%	\$2,975	\$3,500	\$525
	HW0240	Terminate Wire to HW Equipment	\$3,600	75%	25%	100%	\$2,700	\$3,600	\$900
	HW0250	Construct Canopy over Discharge Equip	\$9,000	100%		100%	\$9,000	\$9,000	\$0
	HW0260	Install Handrailings around HW	\$5,800	100%	0%	100%	\$5,800	\$5,800	\$0
	HW0270	Cut Exist HW Wall for Eff. Flows out of New HW	\$3,500	100%	0%	100%	\$3,500	\$3,500	\$0
	AG0020	FRP Air Gap Slab	\$9,500	100%	0%	100%	\$9,500	\$9,500	\$0
	AG0030	Set Air Gap Skid	\$6,500	20%	80%	100%	\$1,300	\$6,500	\$5,200
	AG0040	Connect Above Grade Pipe	\$5,500	100%	0%	100%	\$5,500	\$5,500	\$0
	AG0060	Construct Canopy	\$11,000	100%	0%	100%	\$11,000	\$11,000	\$0
	AG0070	Run Conduits AG	\$2,000	100%	0%	100%	\$2,000	\$2,000	\$0

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KG Walters Construction

Invoice #

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Pay Application

Estimated completed by the end of the Month

Bid Item	Activity ID	Description	Value	Previous % Complete	Percent this Period	Percent to Date	Previously Invoiced	Amount to Date	Invoice Amount this Period
	AG0080	Pull Wires AG	\$1,500	90%	10%	100%	\$1,350	\$1,500	\$150
	AG0090	Terminate Wires AG	\$2,000	90%	10%	100%	\$1,800	\$2,000	\$200
	CH0010	Set Hypochlorite Generator	\$3,500	100%	0%	100%	\$3,500	\$3,500	\$0
	CH0020	Set Brine Tank	\$1,800	90%	10%	100%	\$1,620	\$1,800	\$180
	CH0030	Set Hypochlorite Tanks	\$4,500	100%	0%	100%	\$4,500	\$4,500	\$0
	CH0040	Run Below Grade Piping Hychl	\$3,400	95%	5%	100%	\$3,230	\$3,400	\$170
	CH0050	Install Above Grade Piping Hychl	\$12,000	95%	5%	100%	\$11,400	\$12,000	\$600
	CH0060	Set Chl Metering Skid	\$2,500	100%	0%	100%	\$2,500	\$2,500	\$0
	CH0070	Install Above Grade Piping Chl Skid	\$11,000	95%	5%	100%	\$10,450	\$11,000	\$550
	CH0080	Run Electrical Conduits	\$2,500	95%	5%	100%	\$2,375	\$2,500	\$125
	CH0090	Pull Wires to Hypochlorite Equip	\$1,000	85%	15%	100%	\$850	\$1,000	\$150
	CH0100	Terminate Wire Hychl Equip	\$2,400	75%	25%	100%	\$1,800	\$2,400	\$600
	SD0010	Rough Grade Site @ Dewatering Press	\$4,000	100%	0%	100%	\$4,000	\$4,000	\$0
	SD0040	Set Belt Press	\$8,000	100%	0%	100%	\$8,000	\$8,000	\$0
	SD0050	Set Cake Pump Equip.	\$3,000	100%	0%	100%	\$3,000	\$3,000	\$0
	SD0060	Set Feed Pump Equip.	\$3,000	100%	0%	100%	\$3,000	\$3,000	\$0
	SD0070	Set Polymer Equipment	\$6,000	100%	0%	100%	\$6,000	\$6,000	\$0
	SD0080	Set Air Compressor	\$2,000	100%	0%	100%	\$2,000	\$2,000	\$0
	SD0100	Connect to Existing Buried Pipe	\$2,000	100%	0%	100%	\$2,000	\$2,000	\$0
	SD0110	FRP Pre-Eng Building Footings	\$37,000	100%	0%	100%	\$37,000	\$37,000	\$0
	SD0120	Erect Pre-Eng. Building	\$18,200	95%	5%	100%	\$17,290	\$18,200	\$910
	SD0130	Install HVAC in Pre-Eng. Building	\$3,000	90%	10%	100%	\$2,700	\$3,000	\$300
	SD0140	Run Conduits to Dewatering Equip	\$4,000	100%	0%	100%	\$4,000	\$4,000	\$0
	SD0150	Pull Wires to Dewatering Equip	\$1,000	95%	5%	100%	\$950	\$1,000	\$50
	SD0160	Terminate Electrical @ Dewatering Equip	\$1,500	80%	20%	100%	\$1,200	\$1,500	\$300
BI 2 General Construction Owner Financed Component							\$0		\$0
	SW0120	Install Building Drains	\$2,000	100%	0%	100%	\$2,000	\$2,000	\$0
	SW0130	Install 1 1/2" PW Lines	\$5,000	90%	10%	100%	\$4,500	\$5,000	\$500
	SW0190	Install 2" SD	\$1,000	100%	0%	100%	\$1,000	\$1,000	\$0
	SW0200	Clear Concrete Structure	\$1,500	100%	0%	100%	\$1,500	\$1,500	\$0
	SW0210	Place/Comp AB @ Dewatering Press	\$1,500	90%	10%	100%	\$1,350	\$1,500	\$150
	SW0220	Place/Comp AC @ Dewatering Press	\$4,000	0%	100%	100%	\$0	\$4,000	\$4,000

KG Walters Construction

Invoice #

10

Pay Application

Estimated completed by the end of the Month

Bid Item	Activity ID	Description	Value	Previous % Complete	Percent this Period	Percent to Date	Previously Invoiced	Amount to Date	Invoice Amount this Period
	SD0030	FRP Slab for Dewatering Press	\$12,000	100%	0%	100%	\$12,000	\$12,000	\$0
	SD0090	Connect Above Grade Piping	\$12,000	100%	0%	100%	\$12,000	\$12,000	\$0
BI 3 Sheeting, Shoring, Bracing									
	00003	Sheeting, Shoring, and Bracing	\$1,000	100%		100%	\$1,000	\$1,000	\$0
Alt. #1: Dechlorination Skid									
	PR0190	Deliver Dechlorination Equip	\$30,000	100%	0%	100%	\$30,000	\$30,000	\$0
	CH0110	Set Dechlorination Metering Skid	\$4,500	100%	0%	100%	\$4,500	\$4,500	\$0
	CH0120	Demo & Patch Sidewalk	\$1,500	100%	0%	100%	\$1,500	\$1,500	\$0
	CH0140	Instll Above Grade Piping for Dechlorination	\$5,000	90%	10%	100%	\$4,500	\$5,000	\$500
	CH0150	Run Conduits for Dechlorination	\$2,000	100%	0%	100%	\$2,000	\$2,000	\$0
	CH0160	Pull Wires to Dechlorination Equip	\$1,000	95%	5%	100%	\$950	\$1,000	\$50
	CH0170	Terminate Wires @ Dechlorination Equip	\$2,000	50%	50%	100%	\$1,000	\$2,000	\$1,000
Total			\$1,642,000				\$1,556,890	\$1,642,000	\$85,310

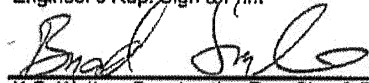
Agreed Upon by:


Engineer's Rep. Sign & Print

Date:

12/2/2010

Agreed Upon by:


K.G. Walters Construction Rep. Sign & Print

Date:

12-1-10

For the benefit of the City of Rio Dell
Exempt from Recording Fees
GC 27383

Return to:
Winzler & Kelly
633 Third Street
Eureka, CA 95501

NOTICE OF COMPLETION

NOTICE is hereby given that the undersigned, Rebecca Crow, Civil Engineer with Winzler & Kelly, 633 Third Street, Eureka, CA 95501-0417, the agent of the owner of the improvements situated in the County of Humboldt, State of California, and described as follows, to wit:

Completed work at the City of Rio Dell Wastewater Facility which included headworks screening upgrades, grit removal addition, concrete headworks structure addition, solids dewatering and sludge storage building addition, sodium hypochlorite generation, feed, and storage equipment addition, sodium bisulfate feed and storage equipment addition, demolition of existing gas chlorine and sulfur dioxide feed systems, air gap and pressurized non-potable water system addition, site grading and asphalt installation, installation of valves and process piping, and instrumentation and electrical upgrades to support the new and upgraded processes.

That the City of Rio Dell as the owner did enter into a contract with K.G. Walters Construction Co. for the construction of:

City of Rio Dell Solids and Disinfection management Project

That on December ____, 2010 the said contract, as a whole, was actually completed by K.G. Walters Construction Co, Inc.

The name and address of the owner of said improvements is as follows:

City of Rio Dell
675 Wildwood Ave.
Rio Dell, CA 95562

Winzler & Kelly

BY _____
Rebecca Crow, PE
Project Manager

Verification for NON-INDIVIDUAL owner: I, the undersigned, declare under penalty of perjury under the laws of the State of California that I am a Director of the aforesaid interest or estate in the property described in the above notice; that I have read the said notice, that I know and understand the contents thereof, and that the facts stated therein are true and correct.

Date and Place

Ron Henrickson, City Manager

WAIVER AND RELEASE UPON FINAL PAYMENT

The undersigned has been paid in full by the CITY for all labor, services, equipment and material furnished to the CITY on the _____ Improvements located at 475 Hilltop Dr., Rio Dell, California, and does hereby waive and release the CITY, its officers, agents, and employees, from all claims and liability to the Contractor arising out of, or in any way connected with, the Contract, except for the disputed contract claims specified below:

Notice of disputed claim

Amount of Claim

\$ _____

Dated: _____

(Name of Contractor)

By: _____
(Title)

Any payment, however, final or otherwise shall not release the Contractor or its sureties from obligations under the Contract Documents or Performance and Payment Bonds.

675 Wildwood Avenue
Rio Dell, CA 95562
(707) 764-3532



TO: Honorable Rio Dell City Council

THROUGH: Ron Henrickson, City Manager *RH*

FROM: Randy Jensen, Acting P.W. Director, and Carla Ralston, P.W. Admin.

DATE: December 7, 2010

SUBJECT: Scope of Services for Preparation of Sewer Use Ordinance (SUO) and Enforcement Response Plan (ERP).

Recommendation

Approve Scope of Services between the City of Rio Dell and Freshwater Environmental Services in an amount not to exceed \$3,360.00 for the preparation of a draft Sewer Use Ordinance (SUO) and Enforcement Response Plan (ERP). **(ACTION)**

Discussion

As a result of the State Water Resources Control Board (SWRCB) Order No. 2006-0003-DWQ, at the October 19th City Council meeting a Scope of Services with Freshwater Environmental Services was approved for the development of a system-specific Sanitary Sewer Management Plan (SSMP).

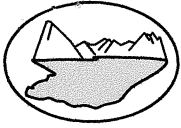
The next step in meeting the requirements of the order are to develop a revised Sewer Use Ordinance (SUO) and incorporate specific language regarding inspection requirements and discharge prohibitions (Task 1) into our existing Sewer Ordinance, and to establish legal authority for the enforcement of that ordinance with the development of an Enforcement Response Plan (ERP) (Task 2).

Budgetary Impact

Funding for this Scope of Services is to come from 5115-09-050. The charges would be billed on a time and materials basis with a not to exceed amount of \$3,360.00.

Attachments

Scope of Services between the City of Rio Dell and Freshwater Environmental Services for the Preparation of draft Sewer Use Ordinance (SUO) and Enforcement Response Plan (ERP).



WORK AUTHORIZATION REQUEST NO. 2
November 24, 2010

Client Information

Contact Name:	Dennis Ryan	and	Rick Chicora
Contact Title:	Director of Public Works		Wastewater Superintendent
Company Name:	City of Fortuna		City of Rio Dell
Address:	180 Dinsmore Drive Fortuna, California 95540		475 Hilltop Drive Rio Dell, California 95562
Phone:	(707) 725-1472		(707) 764-3541
FAX:			

Freshwater Environmental Services Information

Contact Name: Orrin Plocher / Stan Thiesen
78 Sunny Brae Center
Address: Arcata, California, 95521
Phone: 707 839-0091
Cell: 707 498-9071

Project Status

Amount Requested: \$5,040 total \$2,520 for each city if completed together or \$3,360 for each city if completed individually.

Scope of Work

Freshwater Environmental Services (FES) has prepared this Work Authorization Request for developing a draft Sewer Use Ordinance (SUO) and Enforcement Response Plan (ERP) for the City of Fortuna and the City of Rio Dell. The need for an updated sewer use ordinance and ERP is shared by the City of Fortuna and the City of Rio Dell. Although the resulting SUOs for the two cities will not be identical, there will be many sections that satisfy the needs of both cities resulting in a cost savings if the SUO updates are completed simultaneously.

Task 1

-Revise Local Sewer Use Ordinance (SUO).

Using the EPA's 2007 Model Pretreatment Ordinance and the current SUO for the City of Eureka, FES will prepare a new Sewer Use Ordinance (SUO) for the City of Fortuna and the City of Rio Dell.

FES will incorporate:

- Newly revised FOG and optional Grease Haulers Ordinance;
- Lateral inspection and upgrade requirement;
- Authority to issue Industrial Wastewater Discharge Permits and Zero Discharge Permits; and
- Updated prohibited discharges.

Fortuna and Rio Dell are to provide a current digital copy of their entire existing ordinance for review of internal references with the new section to be inserted, and will be the official copy that FES will edit. A system of various colored highlights will be used to signify changes and for internal reference tracking. FES will provide hard copies and a digital file for group review and editing. Two meetings with each city are proposed to discuss edits, comments and questions. Significant changes in the SUO will require Regional Water Quality Control Board review, approval, and public meetings.



WORK AUTHORIZATION REQUEST NO. 2
November 24, 2010

FES recommends that the City of Fortuna and the City of Rio Dell consult with legal staff regarding the appropriate level of legal review for the resulting draft SUOs.

Task 2

-Draft Enforcement Response Plan (ERP).

The revised SUOs will establish legal authority for numerous enforcement response options and refer to an Enforcement Response Plan that establishes protocols for uniform enforcement response depending on the nature of the violation, the amount of harm caused and recurrence of the violation. The ERP will remove ambiguity from the enforcement process. Using the EPA's 1989 *Guidance for Developing Control Authority Enforcement Response Plans*, and the current ERP for the City of Eureka, FES will prepare a draft ERP for the City of Fortuna and the City of Rio Dell.

FES will provide hard copies and a digital file for group review and editing. Two meetings with each city, referred to in Task 1, are proposed to discuss edits, comments and questions.

The ERP will be referred to by the SUO and warrants some level of review and approval.

Budget

TASK 1 Revise Local Sewer Use Ordinance (SUO)

Labor	\$4,200.00
Expenses	\$0.00
Total	4,200.00

TASK 2 Draft Enforcement Response Plan (ERP)

Labor	\$840.00
Expenses	\$0.00
Total	\$840.00

Total of all Tasks **\$5,040.00** **\$2,520 for each city**

Schedule

Work will be initiated upon contract finalization. Estimated completion time is 6-8 weeks.

Basis of Charges and Conditions for the Work

Basis of Charges shall be Time and Materials (not to exceed) in the total amount of **\$5,040** or **\$2,520** for each city. Terms and conditions per individual Agreements.

City of Fortuna

FES

Name: _____

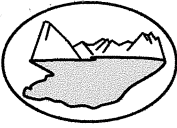
Name: Orrin Plocher

Date: _____

Date: 11/24/10

Signature: _____

Signature: *Orrin Plocher*



WORK AUTHORIZATION REQUEST NO. 2
November 24, 2010

City of Rio Dell

FES

Name: _____

Name: Orrin Plocher

Date: _____

Date: 11/24/10

Signature: _____

Signature: *Orrin Plocher*

Attachments:

Date transmitted: November 24, 2010

Transmittal: Hand Delivery

675 Wildwood Avenue
Rio Dell, CA 95562



STAFF REPORT

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: December 7, 2010

SUBJECT: Draft Eel River Valley Food Collaborative Business and Development Plan

COUNCIL ACTION

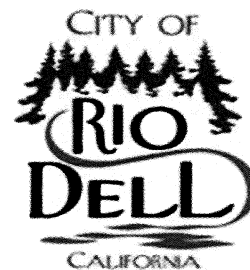
Receive and comment.

BACKGROUND AND DISCUSSION

In August of 2008 the City applied for and was awarded a Headwaters Grant in the amount of \$30,000 to complete an Eel River Valley Food Collaborative Business Plan. The project budget totaled \$43,010, including \$13,010 in matching funds from the City's General fund.

The original project timeline has been extended to date by one year. The Draft plan is now complete and available for review and comments.

675 Wildwood Avenue
Rio Dell, CA 95562



STAFF REPORT

TO: Mayor and Members of the City Council

THROUGH: Ron Henrickson, City Manager

FROM: Stephanie Beauchaine, Finance Director

DATE: December 7, 2010

SUBJECT: Former Eel River Sawmill Site Brownfield's Project Update

RECOMMENDATION

Receive and File

BACKGROUND AND DISCUSSION

In the fall of 2009 the City was awarded a \$350,000 grant from the Environmental Protection Agency to perform Phase I/II site assessments and create a Remedial Action Plan for the Former Eel River Sawmill Site. A contract was awarded to Winkler & Kelly Consulting Engineers to complete the assessments and to Planwest Partners to assist with Community Outreach.

The City's Phase I assessment is complete and was finalized in August 2010. The Phase II Assessment is currently in draft format and will be distributed to regulatory agencies for comment in December. A final draft is expected to be received by the City in January, but will be dependent on various agencies ability to return comments expeditiously. The Remedial Action Plan work is expected to commence in December or January and is scheduled for completion in the spring of 2011.

The City is required to hold public outreach meetings for the purpose of informing the public about the process and to solicit feedback on future development throughout the duration of the project. The City has held 2 public outreach meetings to date; the first in April and second in October of 2010, both with very limited public participation. The final public outreach meeting will be scheduled at the close of the project and is expected to take place in the spring of 2011.

In addition to the public meetings, the City will facilitate a mini educational program with the HSU Economics Department as included in the work plan approved by EPA. We are currently coordinating with Beth Wilson Chair of the Economics Department to develop the final educational plan for the spring semester of 2011. The City also has the

option to proceed with a community based market analysis which would be prepared by HSU Students and coordinated by Planwest Partners. Proceeding on this task is optional at this stage and will be dependent of funding availability.

The City continues to be under the current maximum budget. However, during the comment stage of the Phase I report, additional meetings were scheduled to address oversight agency comments and concerns, and additional borings were drilled during Phase II also at the request of oversight agencies. The additional work performed has the potential to increase the cost of contract services within the project budget. The City is currently evaluating the overall budget and will work with consultants as well as with EPA directly to adjust the budget as necessary to ensure that the City meets its contractual obligation to EPA, and closes the project at or below the maximum budget.

675 Wildwood Avenue
Rio Dell, CA 95562



STAFF REPORT

TO: Mayor and Members of the City Council

FROM: Ron Henrickson, City Manager

DATE: December 7, 2010

SUBJECT: Contract with HDR to complete design services on the Wastewater Facility and Effluent Disposal Project.

COUNCIL ACTION

By motion approve the Contract with HDR for design services of the Wastewater Facility and Effluent Disposal Project (wastewater project #2) and authorize the City Manager to issue a Notice to Proceed for services in an amount not to exceed \$99,874.

BUDGETARY IMPACT

Contract payments will be made by the Sewer Capital Fund from funding previously appropriated for the development of this project \$99,874.

BACKGROUND AND DISCUSSION

On November 3, 2010, the Council directed the City Manager to prepare contract documents for engineering services. Attached are draft documents prepared by HDR for design services for of the Wastewater Facility and Effluent Disposal Project (wastewater project #2)

The scope of service proposed includes consulting, design, and bidding services which will commence over a period of time estimated to range from December through May. However, in light of the revised funding schedule for State Revolving funds, it is recommended that the council approve the complete contract but only issue a Notice to Proceed with work tasks in December for an amount not to exceed \$99,874.

Subsequent to resolving future project funding the Council will be requested to consider approving a Notice to Proceed with remaining design work in January.

CITY MANAGER RECOMMENDATION

Approve the contract and the Notice to Proceed not to exceed \$99,874

ATTACHMENTS

Agreement between Owner and Engineer for Professional Services (DRAFT)
Exhibit A Scope of Work (DRAFT)
Table 1- Estimated Work Effort and Cost Breakdown

(Please note that the attached documents are drafts and that final documents will be distributed at the Council meeting)

This document has important legal consequences; consultation with an attorney is encouraged with respect to its use or modification. This document should be adapted to the particular circumstances of the contemplated Project and the Controlling Laws and Regulations.

AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES

Prepared by

ENGINEERS JOINT CONTRACT DOCUMENTS COMMITTEE



and

As Modified by the Parties Hereto

Issued and Published Jointly by



AMERICAN COUNCIL OF ENGINEERING COMPANIES

ASSOCIATED GENERAL CONTRACTORS OF AMERICA

AMERICAN SOCIETY OF CIVIL ENGINEERS

PROFESSIONAL ENGINEERS IN PRIVATE PRACTICE
A Practice Division of the
NATIONAL SOCIETY OF PROFESSIONAL ENGINEERS

This Agreement has been prepared for use with the Standard General Conditions of the Construction Contract (EJCDC C-700, 2007 Edition). Their provisions are interrelated, and a change in one may necessitate a change in the other. For guidance on the completion and use of this Agreement, see EJCDC User's Guide to the Owner-Engineer Agreement, EJCDC E-001, 2009 Edition.

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PART 1 – BASIC SERVICES 1
PART 2 – ADDITIONAL SERVICES 1



ENGINEERS JOINT CONTRACT
DOCUMENTS COMMITTEE

**AGREEMENT
BETWEEN OWNER AND ENGINEER
FOR
PROFESSIONAL SERVICES**

THIS IS AN AGREEMENT effective as of December 7, 2010, (“Effective Date”) between
City of Rio Dell (“Owner”) and
HDR Engineering, Inc. (“Engineer”).

Owner's Project, of which Engineer's services under this Agreement are a part, is generally identified as follows:

Wastewater Treatment Plant Upgrade (“Project”).

Engineer's services under this Agreement are generally identified as follows:

Engineer will provide engineering design services for the wastewater treatment plant upgrade, as described in Exhibit A. The City's wastewater treatment plant will be designed to provide a rated capacity of 0.9 mgd. The wastewater treatment plant will utilize an activated sludge process with nitrification and denitrification capability, followed by existing chlorination/dechlorination prior to discharge. The existing primary clarifiers, aerobic digesters, and secondary clarifiers will be converted to influent flow equalization. In addition, the facility will be automated to allow for reduced attendance by City operations and maintenance (O&M) staff.

Owner and Engineer further agree as follows:

ARTICLE 1 – SERVICES OF ENGINEER

1.01 *Scope*

- A. Engineer shall provide, or cause to be provided, the services set forth herein and in Exhibit A.

ARTICLE 2 – OWNER’S RESPONSIBILITIES

2.01 *General*

- A. Owner shall have the responsibilities set forth herein and in Exhibit B.

- B. Owner shall pay Engineer as set forth in Exhibit C.
- C. Owner shall be responsible for, and Engineer may rely upon, the accuracy and completeness of all requirements, programs, instructions, reports, data, and other information furnished by Owner to Engineer pursuant to this Agreement. Engineer may use such requirements, programs, instructions, reports, data, and information in performing or furnishing services under this Agreement.

ARTICLE 3 – SCHEDULE FOR RENDERING SERVICES

3.01 Commencement

- A. Engineer is authorized to begin rendering services as of the Effective Date.

3.02 Time for Completion

- A. Engineer shall complete its obligations within a reasonable time. Specific periods of time for rendering services are set forth or specific dates by which services are to be completed are provided in Exhibit A, and are hereby agreed to be reasonable.
- B. If, through no fault of Engineer, such periods of time or dates are changed, or the orderly and continuous progress of Engineer's services is impaired, or Engineer's services are delayed or suspended, then the time for completion of Engineer's services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.
- C. If Owner authorizes changes in the scope, extent, or character of the Project, then the time for completion of Engineer's services, and the rates and amounts of Engineer's compensation, shall be adjusted equitably.
- D. Owner shall make decisions and carry out its other responsibilities in a timely manner so as not to delay the Engineer's performance of its services.
- E. If Engineer fails, through its own fault, to complete the performance required in this Agreement within the time set forth, as duly adjusted, then Owner shall be entitled, as its sole remedy, to the recovery of direct damages, if any, resulting from such failure.

ARTICLE 4 – INVOICES AND PAYMENTS

4.01 Invoices

- A. *Preparation and Submittal of Invoices:* Engineer shall prepare invoices in accordance with its standard invoicing practices and the terms of Exhibit C. Engineer shall submit its invoices to Owner on a monthly basis. Invoices are due and payable within 30 days of receipt.

4.02 Payments

- A. *Application to Interest and Principal:* Payment will be credited first to any interest owed to Engineer and then to principal.

- B. *Failure to Pay*: If Owner fails to make any payment due Engineer for services and expenses within 30 days after receipt of Engineer's invoice, then:
1. amounts due Engineer will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) from said thirtieth day; and
 2. Engineer may, after giving seven days written notice to Owner, suspend services under this Agreement until Owner has paid in full all amounts due for services, expenses, and other related charges. Owner waives any and all claims against Engineer for any such suspension.
- C. *Disputed Invoices*: If Owner contests an invoice, Owner shall promptly advise Engineer of the specific basis for doing so, may withhold only that portion so contested, and must pay the undisputed portion. After a disputed item has been settled, Engineer shall include the disputed item on a subsequent regularly scheduled invoice or on a special invoice for the disputed item only.
- D. *Legislative Actions*: If after the Effective Date any governmental entity takes a legislative action that imposes taxes, fees, or charges on Engineer's services or compensation under this Agreement, then the Engineer may invoice such new taxes, fees, or charges as a Reimbursable Expense to which a factor of 1.0 shall be applied. Owner shall reimburse Engineer for the cost of such invoiced new taxes, fees, and charges; such reimbursement shall be in addition to the compensation to which Engineer is entitled under the terms of Exhibit C.

ARTICLE 5 – OPINIONS OF COST

5.01 *Opinions of Probable Construction Cost*

- A. Engineer's opinions of probable Construction Cost are to be made on the basis of Engineer's experience and qualifications and represent Engineer's best judgment as an experienced and qualified professional generally familiar with the construction industry. However, because Engineer has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or over competitive bidding or market conditions, Engineer cannot and does not guarantee that proposals, bids, or actual Construction Cost will not vary from opinions of probable Construction Cost prepared by Engineer. If Owner requires greater assurance as to probable Construction Cost, Owner must employ an independent cost estimator as provided in Exhibit B.

5.02 *Reserved*

5.03 *Opinions of Total Project Costs*

- A. The services, if any, of Engineer with respect to Total Project Costs shall be limited to assisting the Owner in collating the various cost categories which comprise Total Project Costs. Engineer assumes no responsibility for the accuracy of any opinions of Total Project Costs.