



County of Orange

MEMO

RECEIVED
2012 JAN 19 PM 2:27
CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

DATE: January 19, 2012
TO: Chairman John M. W. Moorlach, Board of Supervisors
Supervisor, Second District
FROM: Thomas G. Mauk, County Executive Officer *for*
SUBJECT: Exception to the Rule 21

S50B

County Executive is requesting a supplemental agenda item for the January 24, 2012 Board Hearing Meeting:

Board Meeting Date: January 24, 2012
Subject: Los Alamitos Pump Station: Contract Change Order No. 32
Calendar: Supplemental
Districts: 2

Reason for Supplemental:

Approval of Contract Change Order No. 32 is time sensitive as it is necessary to move forward with project construction and avoid further project delay.

Concur: *for John Moorlach*
John M. W. Moorlach, Chairman Board of Supervisors

cc: Member, Board of Supervisors
Rob Richardson, Assistant CEO
Nicholas Chrisos, County Counsel
Susan Novak, Interim Clerk of the Board of Supervisors



**SUPPLEMENTAL AGENDA ITEM
AGENDA STAFF REPORT**

S 50B

ASR Control

CLERK OF THE BOARD
ORANGE COUNTY
BOARD OF SUPERVISORS

2012 JAN 19 PM 2:27

01/19/2012

MEETING DATE: 01/24/12
 LEGAL ENTITY TAKING ACTION: Orange County Flood Control District
 BOARD OF SUPERVISORS DISTRICT(S): 2
 SUBMITTING AGENCY/DEPARTMENT: OC Public Works
 DEPARTMENT CONTACT PERSON(S): Ignacio Ochoa (714) 667-3213
 Octavio Rivas (714) 245-4520

SUBJECT: Los Alamitos Pump Station: Contract Change Order No. 32

CEO CONCUR

COUNTY COUNSEL REVIEW

Approved Agreement to Form

CLERK OF THE BOARD

Discussion
3 Votes Board Majority

Budgeted: Yes **Current Year Cost:** \$331,643.66 **Annual Cost:** N/A

Staffing Impact: No **# of Positions:** **Sole Source:** No

Current Fiscal Year Revenue: N/A

Funding Source: Flood Fund 400: 100%

Prior Board Action: 5/24/2011 #S91A; 5/25/2010 #90

RECOMMENDED ACTION(S)

- Affirm that, on March 6, 2007, Negative Declaration No. IP03-105 was found to satisfy the requirements of CEQA and was approved for this project.
- Approve Contract Change Order No. 32 to Agreement No. D07-061 with SSC Construction, Inc. in the amount of \$331,643.66 for accepting the alternative grid cooling system; replacing the system integrator to Waukesha Pearce Industries (WPI) to confirm pump engine drive system compliance with the performance requirements contained in the Project Plans and Specifications (PP&S); and installing the revised cooling system in support of completing construction of the Los Alamitos Pump Station Project.

SUMMARY:

Approval of Contract Change Order (CCO) No. 32 provides for accepting the alternative grid cooling system; replacing the system integrator to Waukesha Pearce Industries (WPI) to confirm pump engine drive system compliance with the performance requirements contained in the Project Plans and Specifications (PP&S); and installing the revised cooling system in support of completing construction of the Los Alamitos Pump Station Project, which will enhance flood protection to the low lying areas in the City of Seal Beach.

BACKGROUND INFORMATION:

The Los Alamitos Pump Station was constructed in 1957, to provide flood control protection for low lying areas in the City of Seal Beach. In 1995, a lack of capacity at this pump station contributed to the flooding of residential properties in the Seal Beach Leisure World Community. The new Pump Station facility will provide approximately 80% greater pumping capacity and significantly reduce the flood risks to the area. On June 26, 2007, your Board, acting as the Orange County Flood Control District (OCFCD), awarded a construction for the Los Alamitos Pump Station (Project) to SSC Construction, Inc. (SSC) in the amount of \$21,706,795. The Project Plans and Specification (PP&S) approved by your Board specified tube and shell type heat exchangers to be installed on the wet well floor.

Valley Power Systems, Inc. (Valley Power), an authorized supplier for the specified engine, was identified by SSC as their system integrator for the Project. The system integrator is responsible for submitting the necessary construction details for approval by OCFCD to furnish the engines and their ancillary systems in compliance with the engine cooling system performance requirements contained in the PP&S. After the specified tube and shell heat exchangers were delivered to the Project site, Valley Power, through SSC, requested that the location of the heat exchangers be changed closer to the pump inlets to improve flow through the tubes and ensure proper heat transfer. This request required a change to SSC's already submitted construction details approved by the OCFCD. The OCFCD rejected SSC's request due to concerns expressed by the Project design engineer, RBF Consulting (RBF). Subsequently, SSC requested authorization to replace Valley Power with Waukesha Pearce Industries (WPI) as its system integrator.

Discussions involving the OCFCD, SSC, and RBF have resulted in an alternative grid cooling system that is in compliance with performance specifications. However, the alternative cooling system will consist of grid cooler heat exchangers instead of tube and shell heat exchangers and will be mounted on the wet wall instead of the wet wall floor as shown in the PP&S. The recommended Contract Change Order (CCO No. 32) in the agreed total amount of \$331,643.66 includes \$163,060.75 for accepting the alternative grid cooling system; \$45,025.55 for replacing the system integrator to Waukesha Pearce Industries (WPI) to confirm the pump engine drive system complies with the PP&S; and \$123,557.36 for installation of the alternative grid cooling system including the necessary modification of brackets, bolts, piping, etc.

The OCFCD and SSC are still in dispute in regard to responsibility for the project schedule delay associated with the alternative grid cooling system for the Project.

Compliance with CEQA: On March 6, 2007, Negative Declaration No. IP03-105 was found to satisfy the requirements of CEQA and was approved for this project.

FINANCIAL IMPACT:

Although the recommended Contract Change Order cost was not specifically budgeted, sufficient appropriation is available in the Flood Fund 400 due to other project budget savings and/or implement schedule changes.

STAFFING IMPACT:

N/A

EXHIBIT(S):

Exhibit A - Contract Change Order No. 32 to Agreement No. D07-061

Exhibit B - Location Map

**OC PUBLIC WORKS
CONTRACT CHANGE ORDER NO. 32
AGREEMENT NO. D07-061**

**For Construction of: Los Alamitos Pump Station and Retarding Basin,
Facilities Nos. C01PS1 and C01B01**

To: SSC Construction, Inc.

You are hereby directed to do the following described work.

Description of work to be done, estimate of quantities and prices to be paid as determined in accordance with the Specifications. As directed by the Engineer, provide all labor, equipment and materials to perform the following work in accordance with Section 3-5, *Disputed Work* of the Standard Specifications for Public Works Construction and the Special Provisions:

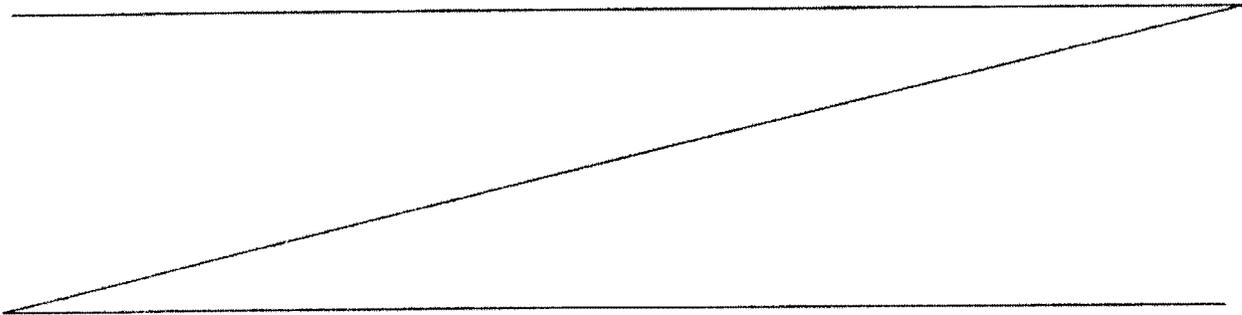
1. Furnish and install primary heat exchangers for Bid Item No. 46 per new drawing sheets as shown on pages 4 through 6 of this Contract Change Order.
2. Costs to complete remaining system integration work by Waukesha-Pearce Industries.
3. Modify plumbing system in the wet well to connect primary heat exchangers at new locations as shown on pages 4 through 6 of this Contract Change Order.

Compensation for the above changes will be as follows:

I. Adjustment in Compensation at an Agreed Upon Lump Sum:

- | | |
|--|------------------|
| A. Adjustment to Bid Item No. 46, Natural Gas Engine Drive and Auxiliary Equipment, for primary heat exchangers for an agreed lump sum price of..... | (+) \$163,060.75 |
| B. Adjustment to Bid Item No. 46 for replacement system integrator for an agreed lump sum price of..... | (+) 45,025.55 |
| C. Modify plumbing system to connect heat exchangers at new locations for an agreed lump sum price of..... | (+) \$123,557.36 |

TOTAL COST OF THIS DIRECTIVE (+) \$331,643.66



SUMMARY OF CONTRACT COST STATUS:

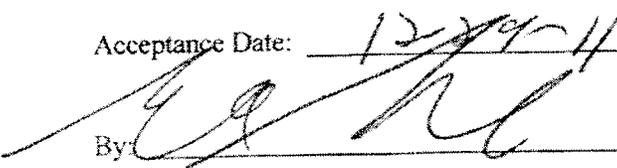
Original Contract award:	\$21,706,795.00	Approved as to Form
Preceding Changes	(+) \$2,931,278.05	County Counsel
This Change	(+) \$331,643.66	
New Estimated Contract Cost	\$24,969,716.71	
NET CHANGE (ALL CHANGE ORDERS) (+)	\$3,262,921.71	By: 

Since it is not feasible at this time to determine either the effect this change will have on the Contractor's operation, or responsibility for any impact on the contract time for completion, it is agreed to defer the determination of any contract time adjustment, and of any additional compensation to the Contractor for cost of delay related to this work or liquidated damages to the District for delay, until the completion of the work described in this change order and resolution of the dispute described below.

The Orange County Flood Control District ("District") and SSC Construction, Inc. ("SSC") dispute who bears responsibility for the need to replace the contractually designated system integrator, to redesign the heat exchangers, to manufacture and install a new set using the new design, and to modify the plumbing system to connect the heat exchangers at the new locations. The issuance of this change order shall not be construed as a resolution of the dispute with respect to responsibility for these issues or responsibility for any related delay to the completion of the Project. The District is issuing this change order under a reservation of its right to obtain reimbursement from SSC for the lump sum amount stated above, if upon resolution of the dispute regarding responsibility for the change in system integrators, redesign of the heat exchangers, manufacture and installation of new heat exchangers according to the new design, and modification of the plumbing system, it is determined that SSC was responsible for these issues. The issuance of this change order shall not be construed to constitute the District's waiver or relinquishment of a claim against SSC for reimbursement with respect to the amounts paid SSC under this Change Order.

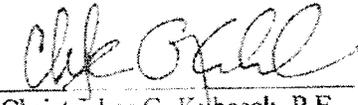
Acceptance Date: 12/29/11

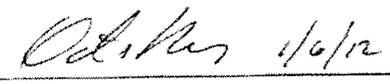
Contractor: SSC Construction, Inc.

By: 

Print Name and Title: GREG LARKIN / PRESIDENT

Submitted By: 
 Robert Valle
 Principal Construction Inspector

Approval Recommended: 
 Christopher G. Kubasek, P.E.
 Engineering Supervisor

Approval Recommended: 
 Octavio Rivas, Manager
 OC Public Works/Inspection Section

Los Alamitos Pump Station and Retarding Basin Exhibit A
Facilities Nos. C01PS1 and C01B01
CCO No. 32 to Agreement No. D07-061
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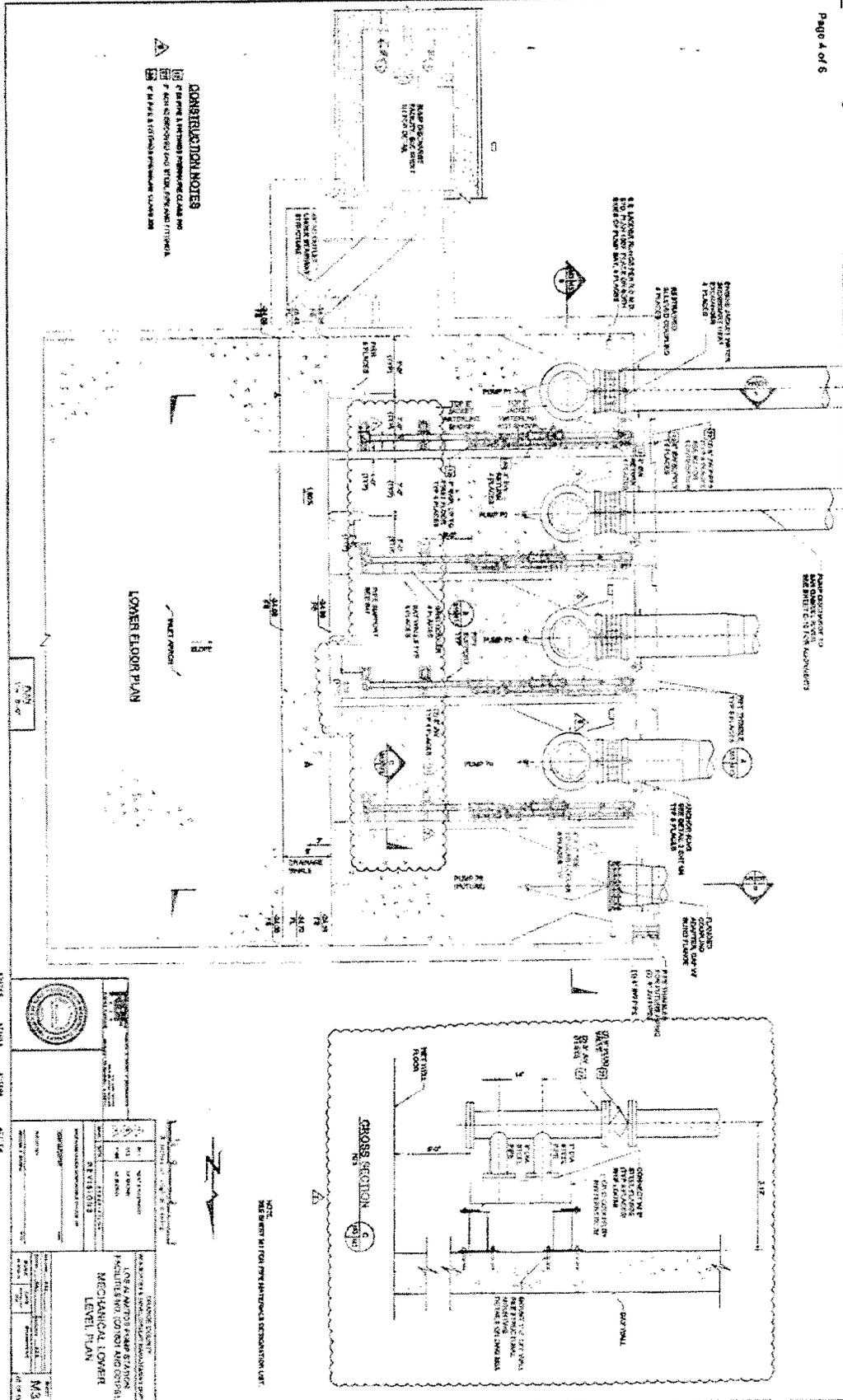
Approved By: _____ Date: _____
Chairman, Orange County Board of Supervisors

Signed and certified that a copy of this document
has been delivered to the Chairman of the Board per
Government Code Section 25103, Resolution 79-1535.
Attest:

Clerk of the Board of Supervisors
County of Orange, California

Exhibit A

Los Angeles Pump Station and
 Rastering Basin,
 CCO No. 32 to Agreement No. D07201
 Page 4 of 6



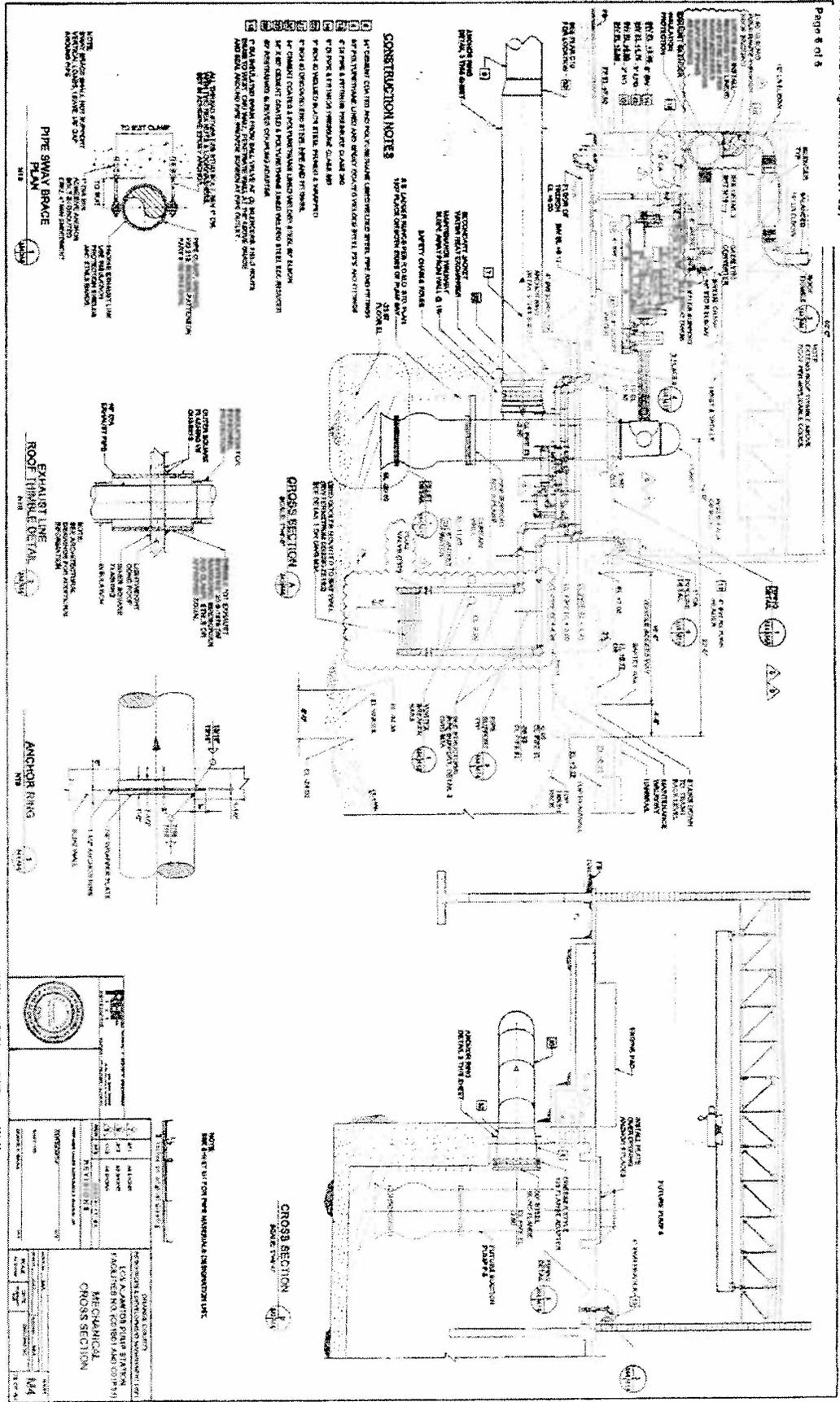
CONSTRUCTION NOTES
 1. SEE THE MECHANICAL LOWER LEVEL PLAN FOR THE LOCATION OF THE PUMP MOTOR PRELIMINARY SITUATION (A).
 2. THE PUMP MOTOR PRELIMINARY SITUATION (A) IS TO BE INSTALLED IN THE EXISTING PUMP MOTOR FOUNDATION.
 3. THE PUMP MOTOR PRELIMINARY SITUATION (A) IS TO BE INSTALLED IN THE EXISTING PUMP MOTOR FOUNDATION.

PROJECT NO. 100-100-100-100 SHEET NO. 100-100-100-100 DATE 10/10/10	TITLE MECHANICAL LOWER LEVEL PLAN
DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]	CONTRACT NO. 100-100-100-100 SHEET NO. 100-100-100-100

Exhibit A

Los Alamitos Pump Station and
 Retarding Basin,
 Facilities Nos. C01P91 and C01B01
 CCO No. 32 to Agreement No. C07-051

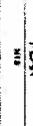
Page 6 of 6



CONSTRUCTION NOTES

1. ALL CONCRETE SHALL BE 4000 PSI STRENGTH CONCRETE UNLESS OTHERWISE NOTED.
2. ALL REINFORCING SHALL BE #4 BARS UNLESS OTHERWISE NOTED.
3. ALL WALLS SHALL BE 12" THICK UNLESS OTHERWISE NOTED.
4. ALL FLOORS SHALL BE 4" THICK UNLESS OTHERWISE NOTED.
5. ALL ROOFS SHALL BE 4" THICK UNLESS OTHERWISE NOTED.
6. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION.
7. ALL INTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
8. ALL CEILING SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
9. ALL FLOORS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION.
10. ALL ROOFS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION.
11. ALL EXTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION.
12. ALL INTERIOR WALLS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
13. ALL CEILING SHALL BE FINISHED WITH 1/2" GYPSUM BOARD.
14. ALL FLOORS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION.
15. ALL ROOFS SHALL BE FINISHED WITH 1/2" GYPSUM BOARD OVER 1/2" POLYSTYRENE INSULATION.

PIPE SPAN BRIDGE



EXHAUST LINE ROOF JUMPER DETAIL



ANCHOR RING



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMITS	11/11/11	[Name]
2	REVISED PER COMMENTS	11/11/11	[Name]
3	REVISED PER COMMENTS	11/11/11	[Name]
4	REVISED PER COMMENTS	11/11/11	[Name]
5	REVISED PER COMMENTS	11/11/11	[Name]
6	REVISED PER COMMENTS	11/11/11	[Name]
7	REVISED PER COMMENTS	11/11/11	[Name]
8	REVISED PER COMMENTS	11/11/11	[Name]
9	REVISED PER COMMENTS	11/11/11	[Name]
10	REVISED PER COMMENTS	11/11/11	[Name]

NOTED: SEE THE PERMITS FOR THE MATERIALS SUBMITTALS LIST.

MECHANICAL CROSS SECTION

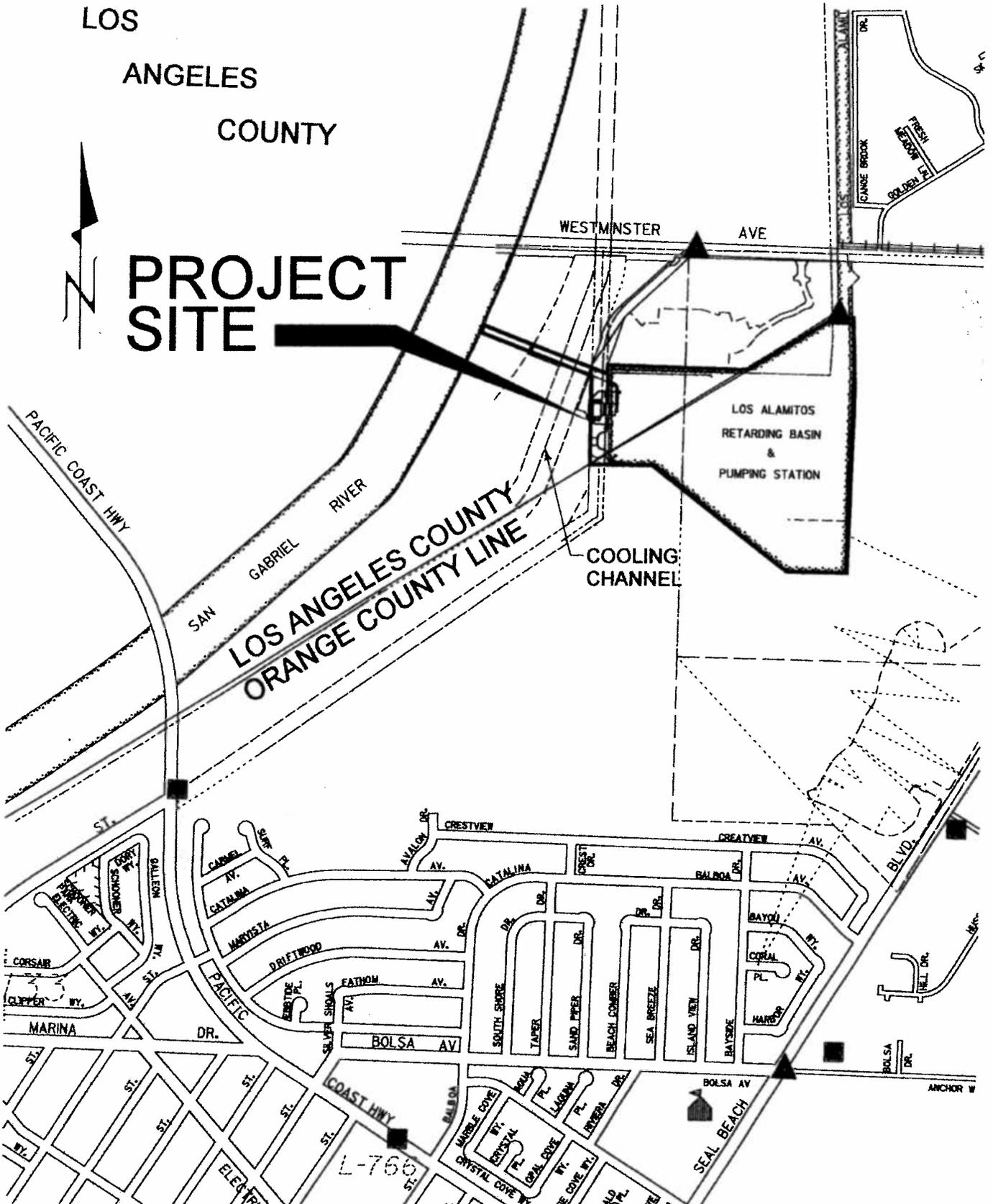
SCALE: 1/4" = 1'-0"

Exhibit B

LOS ANGELES COUNTY



PROJECT SITE



LOCATION MAP