

**RESOLUTION NO. SD17-014**  
**OF THE BOARD OF DIRECTORS OF**  
**NEVADA COUNTY SANITATION DISTRICT NO. 1**

**RESOLUTION APPROVING AMENDMENT NO. 1 TO AN**  
**AGREEMENT WITH KOCH AND KOCH, INC. FOR THE PENN**  
**VALLEY DUAL SEWER FORCE MAIN PROJECT – CONTRACT**  
**NO. 877140 IN AN AMENDED AMOUNT NOT TO EXCEED**  
**\$7,213,937**

WHEREAS, the Penn Valley Dual Sewer Force Main Project is funded primarily by a Small Community Wastewater grant in the amount of \$6,000,000 and a Community Development Block Grant in the amount of \$1,245,000; and

WHEREAS, a construction contract to construct and install the Penn Valley Dual Sewer Force Main Project was awarded on August 16<sup>th</sup>, 2016 (SD16-013) to Koch and Koch in the amount of \$5,850,885, plus a 10% of base bid contingency of \$492,481 for a maximum amount not to exceed grand total of \$6,343,366; and

WHEREAS, early on in the project and in an effort to save costs for the Valley Oak Court Zone 12, connections from the new force main to Valley Oak Court were installed via change order. The cost of this additional work was \$11,871 for construction and \$10,000 for engineering. There is sufficient fund balance available in Valley Oak Court Zone 12 for this work; and

WHEREAS, aged storm drainage culverts were further damaged during recent rain events and required replacement in conjunction with the pipeline construction and in order to save costs and prevent time overruns, additional cost of \$11,252 to be funded by the Roads Maintenance budget; and

WHEREAS, a significant amount of rock inconsistent with the geotechnical findings during design was discovered during work activities specific to either the Lake Wildwood and Penn Valley treatment zones; resulting in nine change orders totaling \$719,929 to date with an anticipated additional \$610,000 in rock break and removal activities that have yet to be performed or billed, additional costs to be funded by associated treatment zones; and

WHEREAS, unforeseen rock work and atmospheric storm events in January and February of 2017, extended the project duration by 101 working days, or 142 calendar days, resulting in increased coordination, oversight, inspection and design support costs by HydroScience Engineers and Coastland Civil Engineering in the amount of \$126,210 and increased construction costs; and

WHEREAS, the cost of the base contracts plus the total of issued and anticipated contract change orders and amendments less the cost of contingencies, results in the need for contract amendments in the amount of \$996,781; and

WHEREAS, additional contract costs will be funded by the associated treatment zones; and

WHEREAS, funds are available in the fund balances for the associated treatment zones; Zone 1-Lake Wildwood, Zone 6 – Penn Valley, and Zone 12 – Valley Oak Court; and

WHEREAS, a budget amendment for the affected Sanitation District budgets has been submitted as a separate Resolution for consideration; and

WHEREAS, expenses will be paid out of 4772-91005-709-2000 / 540710

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Directors of Nevada County Sanitation District No. 1:

1. Approves Amendment No. 1 to the contract with Koch and Koch, Inc. for the Penn Valley Dual Sewer Force Main Project contract by \$870,571 for a maximum contract amount not to exceed \$7,213,937 for the Penn Valley Dual Force Main Project.
2. Authorizes the Chair of the Board of Directors to execute on behalf of Nevada County Sanitation District No. 1 the amended agreement between the Sanitation District and Koch and Koch, Inc.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Nevada County Sanitation District No. 1, held on the 12<sup>th</sup> day of September, 2017, by the following vote:

Ayes: Directors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Directors

By: 

  
Hank Weston, Chair

9/12/2017 cc: NCSD#1\*  
AC\* (Hold)

3/23/2018 cc: NCSD#1\*  
AC\* (Release)  
K&K, Inc.

**AMENDMENT NO. 1 TO CONTRACT  
WITH KOCH AND KOCH, INC.**

THIS AMENDMENT is executed this 12<sup>th</sup> day of September 2017, by and between KOCH AND KOCH, INC. and NEVADA COUNTY SANITATION DISTRICT NO. 1. Said Amendment will amend the prior agreement between the parties entitled Penn Valley Dual Sewer Force Main Project approved on August 16, 2016.

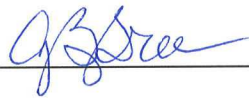
WHEREAS, the parties desire to amend the agreement to provide for construction services by increasing the Maximum Contract Price and the Contract Termination Date.

NOW, THEREFORE, the parties hereto agree as follows:

1. That the Maximum Contract Price set forth in §2 is increased by \$870,571 for a maximum Contract Price not to exceed \$7,213,937.
2. This amendment represents additional work to be authorized by individual contract change orders.
3. That in all other respects, the prior agreement of the parties shall remain in full force and effect except as amended herein.

APPROVED AS TO FORM:  
COUNTY COUNSEL

By: \_\_\_\_\_



NEVADA COUNTY SANITATION DISTRICT NO. 1

By: \_\_\_\_\_



~~Honorable Hank Weston~~ Edward Scofield  
Chair of the Board of Directors

ATTEST:

By: \_\_\_\_\_



Julie Patterson Hunter  
Clerk of the Board of Directors

CONTRACTOR:

By: \_\_\_\_\_

