



**CITY OF LODI  
COUNCIL COMMUNICATION**

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**AGENDA TITLE:** Adopt Resolution Rejecting Non-Responsive Bid and Awarding Contract for Western and Southern Plumes Monitoring Wells Installation Project to Applied Water Resources of Walnut Creek (\$344,502.50) and Appropriating Funds (\$430,000)

**MEETING DATE:** January 15, 2014

**PREPARED BY:** Public Works Director

**RECOMMENDED ACTION:** Adopt resolution rejecting non-responsive bid, awarding contract for Western and Southern Plumes Monitoring Wells Installation Project to Applied Water Resources, of Walnut Creek, in the amount of \$334,502.50 and appropriating funds in the amount of \$430,000.

**BACKGROUND INFORMATION:** The *Groundwater Monitoring Plan for the Western and Southern Plume Areas*, prepared in February 2011 by Treadwell and Rollo, established a groundwater monitoring and reporting plan for the Western and Southern Plume areas. Previously conducted investigations have generally defined the extent of the groundwater pollution as shown in Attachment A. The pollution is industrial solvents PCE and TCE, which are found in the soil and groundwater in parts of central Lodi.

Using the City's groundwater model prepared by Treadwell and Rollo, combined with the results of previous investigations, locations and depths were identified for additional monitoring facilities. As a result, three monitoring wells are proposed for construction at the locations identified in Attachment B (WMW 1A,B,C,D; WMW 2 A,B,C; and SMW 1A,B). At each monitoring well location, two to four discrete depth levels will be monitored using nested monitoring wells, each constructed to sample from a single discrete depth. The final discrete depths and associated well screen locations will be determined during construction and in consultation with the Regional Water Quality Control Board (Board). On November 9, 2012, the Board issued approval of the draft plan for these monitoring wells.

Following installation of the new monitoring wells, a quarterly monitoring program will be implemented that will include one existing monitoring well in the Western Plume and 13 existing monitoring wells in the Southern Plume. Preparation of the existing monitoring wells and execution of the monitoring program is a part of the Monitoring Program contract previously awarded to Stantec Consulting Corporation.

The monitoring program will allow us to track PCE and TCE in the groundwater, which will guide future remediation efforts, if necessary.

Plans and specifications for this project were approved on February 20, 2013. The City received the following four bids for this project on December 4, 2013.

APPROVED:

Konradt Bartlam, City Manager

Adopt Resolution Rejecting Non-Responsive Bid and Awarding Contract for Western and Southern Plumes Monitoring Wells Installation Project to Applied Water Resources of Walnut Creek (\$344,502.50) and Appropriating Funds (\$430,000)

January 15, 2014

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Bidder	Location	Bid
Engineer's Estimate		\$326,850.00
Apex Envirotech, Inc.	Gold River	\$217,330.00 (non-responsive)
Applied Water Resources	Walnut Creek	\$344,502.50*
Cascade Drilling	West Sacramento	\$363,850.00
SAC Consulting Engineers	Pleasanton	\$416,513.02

\*Corrected Total

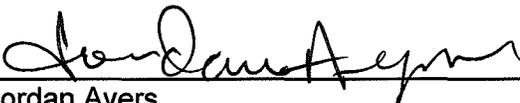
The lowest bidder, Apex Envirotech, Inc., failed to list all subcontractors who will perform more than one half of one percent of the bid work in their bid proposal as required per California's Public Contract Code 4110, hence their bid is considered non-responsive. Staff recommends rejecting the bid from Apex Envirotech, Inc., as non-responsive and awarding the contract to the lowest responsive bidder, Applied Water Resources.

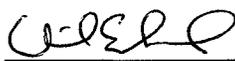
The requested appropriation of \$430,000 will cover the contract cost, contingencies, as well as engineering and inspection for the project.

**FISCAL IMPACT:** Not Applicable

**FUNDING AVAILABLE:**

Requested Appropriation:	
Western Plume Fund (194)	\$322,500
Southern Plume Fund (191)	\$107,500
Total	\$430,000

  
\_\_\_\_\_  
Jordan Ayers  
Deputy City Manager/Internal Services Director

  
\_\_\_\_\_  
for F. Wally Sandelin  
Public Works Director

Prepared by Lyman Chang, Senior Civil Engineer  
FWS/LC/pmf

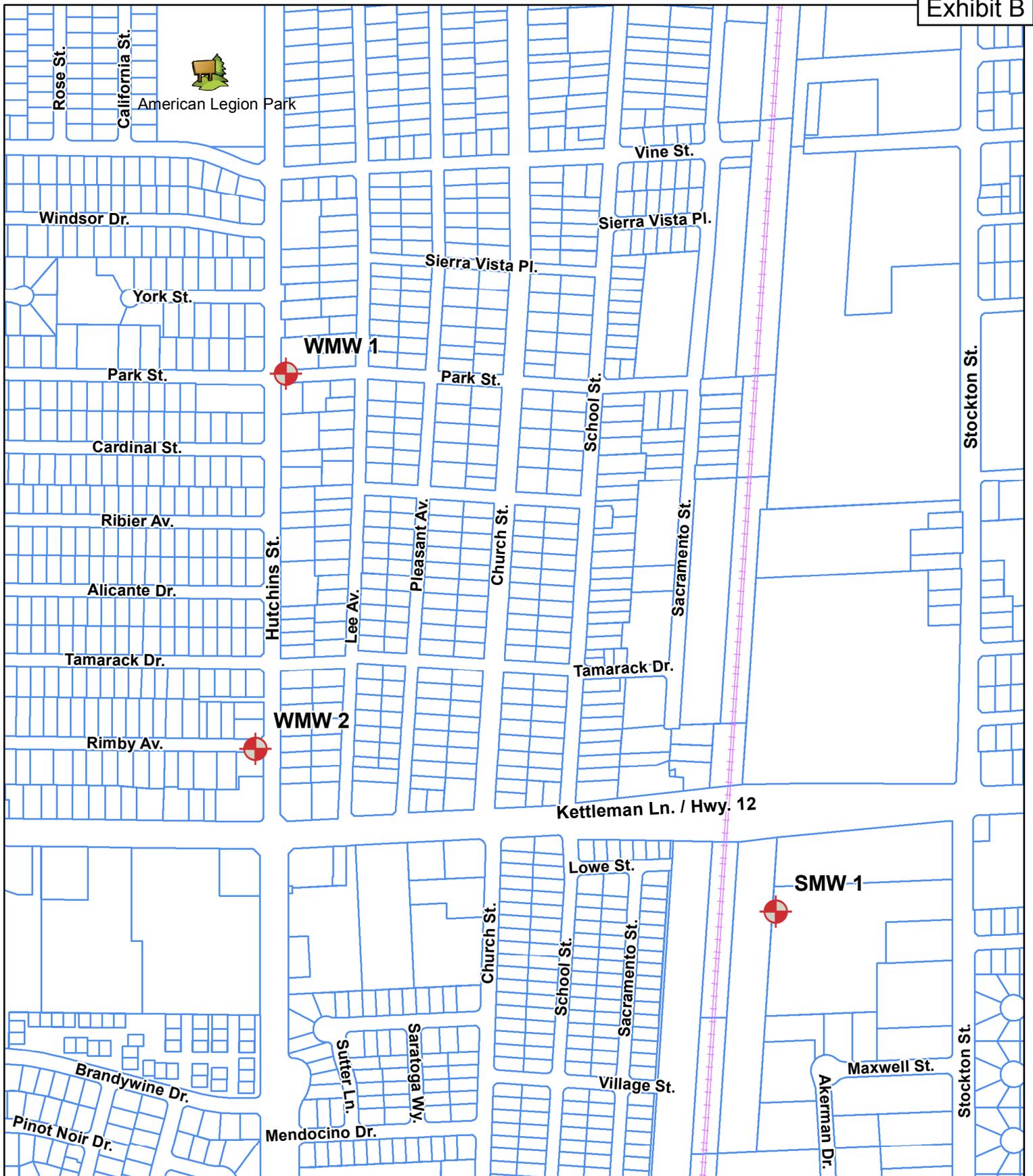
Attachments

cc: Deputy Public Works Director – Utilities  
City Engineer/Deputy Public Works Director  
Senior Civil Engineer  
Apex Envirotech, Inc  
Applied Water Resources



Legend	
	Monitoring Well
	City Water Supply Well
	Central Plume Monitoring Well
	Railroad
	Park
	Mokelumne River
	School
<b>Western PCE Contours, 2007 (µg/L)</b>	
	Deep PCE Contour, Inferred (>75 ft)
	Deep PCE Contour (>75 ft)
	Shallow PCE Contour, Inferred (< 75 ft)
	Shallow PCE Contour (< 75 ft)
<b>Southern Plume Contours, 2008 (µg/L)</b>	
<b>PCE + TCE + 1,1-DCE</b>	
	Inferred Contour
	Isoconcentration Contour

<b>GROUNDWATER MONITORING</b> Lodi, California		
<b>WESTERN AND SOUTHERN</b> PLUME AREAS		
Date 1/31/2011	Project No. 730392333	Figure 1
<b>Treadwell &amp; Rolo</b> A LANGAN COMPANY		



**Western and Southern Plumes  
Monitoring Wells Installation Project  
Vicinity Map**



1 inch = 500 feet

**WESTERN AND SOUTHERN PLUMES  
MONITORING WELLS INSTALLATION PROJECT**

**CONTRACT**

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CITY OF LODI, CALIFORNIA

THIS CONTRACT made by and between the CITY OF LODI, State of California, herein referred to as the "City," and APPLIED WATER RESOURCES, herein referred to as the "Contractor."

WITNESSETH:

That the parties hereto have mutually covenanted and agreed, and by these presents do covenant and agree with each other, as follows:

The complete Contract consists of the following documents which are incorporated herein by this reference, to-wit:

Notice Inviting Bids	The July 1992 Edition,
Information to Bidders	Standard Specifications,
General Provisions	State of California,
Special Provisions	Business and Transportation Agency,
Bid Proposal	Department of Transportation
Contract	
Contract Bonds	
Plans	

All of the above documents, sometimes hereinafter referred to as the "Contract Documents," are intended to cooperate so that any work called for in one and not mentioned in the other is to be executed the same as if mentioned in all said documents.

ARTICLE I - That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the City and under the condition expressed in the two bonds bearing even date with these presents and hereunto annexed, the Contractor agrees with the City, at Contractor's cost and expense, to do all the work and furnish all the materials except such as are mentioned in the specifications to be furnished by the City, necessary to construct and complete in a good workmanlike and substantial manner and to the satisfaction of the City the proposed improvements as shown and described in the Contract Documents which are hereby made a part of the Contract.

ARTICLE II - The City hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide all materials and services not supplied by the City and to do the work according to the terms and conditions for the price herein, and hereby contracts to pay the same as set forth in Section 5.600, "Measurement, Acceptance and Payment," of the General Provisions, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

ARTICLE III - The Contractor agrees to conform to the provisions of Chapter 1, Part 7, Division 2 of the Labor Code. The Contractor and any Subcontractor will pay the general prevailing wage rate and other employer payments for health and welfare, pension, vacation, travel time, and subsistence pay, apprenticeship or other training programs. The responsibility for compliance with these Labor Code requirements is on the prime contractor.

ARTICLE IV - And the Contractor agrees to receive and accept the following prices as full compensation for furnishing all materials and for doing all the work contemplated and embraced in this agreement; also for all loss or damage arising out of the nature of the work aforesaid or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work until its acceptance by the City, and for all risks of every description connected with the work; also for all expenses incurred by or in consequence of the suspension or discontinuance of work and for well and faithfully completing the work, and the whole thereof, in the manner and according to the Plans and Contract Documents and the requirements of the Engineer under them, to-wit:

The work consists of installing three groups of groundwater monitoring wells at locations shown on the vicinity maps in the project specifications. Contractor will be required to obtain all permits associated with monitoring well construction and will include a California-licensed Professional Geologist or Engineer. The work includes collecting groundwater samples and procuring analyses from a State certified lab as outlined in the project specifications. This project is being completed under the regulatory oversight of the California Regional Water Quality Control Board, Central Valley Region (RWQCB). The monitoring wells shall be constructed in accordance with California and San Joaquin County Well Standards. The wells shall be constructed as nested monitoring wells.

CONTRACT ITEMS

ITEM NO.	DESCRIPTION	UNIT	EST'D. QTY	UNIT PRICE	TOTAL PRICE
1.	Mobilization/ Demobilization/Cleanup	LS	1	\$ 19,000.00	\$19,000.00
2.	Traffic Control	LS	1	\$ 2,000.00	\$ 2,000.00
3.	Testing and Reporting	LS	1	\$ 1,500.00	\$ 1,500.00
4.	Drill Monitoring Well, WMW 1 A, B, C	LS	1	\$ 69,500.00	\$69,500.00
5.	Drill Monitoring Well, WMW 2 A, B, C	LS	1	\$ 91,000.00	\$91,000.00
6.	Drill Monitoring Well, SMW 1 A, B	LS	1	\$ 27,000.00	\$27,000.00
7.	Well Development	Hour	64	\$ 200.00	\$12,800.00
8.	Premium for Monitoring Well WMW 2 D	LS	1	\$ 7,000.00	\$ 7,000.00

ITEM NO.	DESCRIPTION	UNIT	EST'D. QTY	UNIT PRICE	TOTAL PRICE
9.	Concrete Pavement	SF	550	\$ 12.55	\$ 6,902.50
10.	Dispose Hazardous Waste	TON	160	\$ 398.75	\$63,800.00
11.	Dispose Designated Waste	TON	160	\$ 275.00	\$44,000.00
TOTAL BID					\$344,502.50

ARTICLE V - By my signature hereunder, as Contractor, I certify that I am aware of the provisions of Section 3700 of the Labor Code, which requires every employer to be insured against liability for workers' compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

ARTICLE VI - It is further expressly agreed by and between the parties hereto that, should there be any conflict between the terms of this instrument and the Bid Proposal of the Contractor, then this instrument shall control and nothing herein shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

ARTICLE VII - The City is to furnish the necessary rights-of-way and easements and to establish lines and grades for the work as specified under the Special Provisions. All labor or materials not mentioned specifically as being done by the City will be supplied by the Contractor to accomplish the work as outlined in the specifications.

ARTICLE VIII - The Contractor agrees to commence work pursuant to this contract within 15 calendar days after the City Manager has executed the contract and to diligently prosecute to completion within **90 CALENDAR DAYS**.

WHEN SIGNING THIS CONTRACT, THE CONTRACTOR AGREES THAT THE TIME OF COMPLETION FOR THIS CONTRACT IS REASONABLE AND THE CONTRACTOR AGREES TO PAY THE CITY LIQUIDATED DAMAGES AS SET FORTH IN SECTION 6-04.03 OF THE SPECIAL PROVISIONS. CONTRACTOR AGREES THAT THIS AMOUNT MAY BE DEDUCTED FROM THE AMOUNT DUE THE CONTRACTOR UNDER THE CONTRACT.

IN WITNESS WHEREOF, the parties to these presents have hereunto set their hands the year and date written below.

CONTRACTOR:

CITY OF LODI

\_\_\_\_\_

By: \_\_\_\_\_  
Konradt Bartlam  
City Manager

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

Date: \_\_\_\_\_

\_\_\_\_\_

Title

Attest

\_\_\_\_\_  
City Clerk

(CORPORATE SEAL)

Approved As To Form

\_\_\_\_\_  
D. Stephen Schwabauer  
City Attorney



1. AA# \_\_\_\_\_  
 2. JV# \_\_\_\_\_

**CITY OF LODI  
 APPROPRIATION ADJUSTMENT REQUEST**

TO: Internal Services Dept. - Budget Division  
 3. FROM: Rebecca Areida-Yadav 5. DATE: 12/12/2013  
 4. DEPARTMENT/DIVISION: Public Works

**6. REQUEST ADJUSTMENT OF APPROPRIATION AS LISTED BELOW**

	FUND #	BUS. UNIT #	ACCOUNT #	ACCOUNT TITLE	AMOUNT
A. SOURCE OF FINANCING	194		3205	Fund Balance	\$ 322,500.00
	191		3205	Fund Balance	\$ 107,500.00
B. USE OF FINANCING	194	194205	7323	Monitoring Wells	\$ 322,500.00
	191	191205	7323	Monitoring Wells	\$ 107,500.00

**7. REQUEST IS MADE TO FUND THE FOLLOWING PROJECT NOT INCLUDED IN THE CURRENT BUDGET**

Please provide a description of the project, the total cost of the project, as well as justification for the requested adjustment. If you need more space, use an additional sheet and attach to this form.

Professional services agreement with Applied Water Resources for Western and Southern Plume monitoring well installations.

If Council has authorized the appropriation adjustment, complete the following:

Meeting Date: \_\_\_\_\_ Res No: \_\_\_\_\_ Attach copy of resolution to this form.

Department Head Signature: Wasey Sandehi

**8. APPROVAL SIGNATURES**

Deputy City Manager/Internal Services Manager \_\_\_\_\_ Date \_\_\_\_\_

Submit completed form to the Budget Division with any required documentation.  
 Final approval will be provided in electronic copy format.

RESOLUTION NO. 2014-01

A RESOLUTION OF THE LODI CITY COUNCIL REJECTING NON-RESPONSIVE BID, AWARDING CONTRACT FOR WESTERN AND SOUTHERN PLUMES MONITORING WELLS INSTALLATION PROJECT, AUTHORIZING THE CITY MANAGER TO EXECUTE CONTRACT, AND FURTHER APPROPRIATING FUNDS

WHEREAS, in answer to notice duly published in accordance with law and the order of this City Council, sealed proposals were received and publicly opened on December 4, 2013, at 11:00 a.m., for the Western and Southern Plumes Monitoring Wells Installation Project, described in the plans and specifications therefore approved by the City Council on February 20, 2013; and

WHEREAS, said bids have been checked and tabulated and a report thereof filed with the City Manager as follows:

<b>Bidder</b>	<b>Bid</b>
Apex Envirotech, Inc. (non-responsive)	\$217,330.00
Applied Water Resources	\$344,502.50*
Cascade Drilling	\$363,850.00
SAC Consulting Engineers	\$416,513.02
*Corrected Total	

WHEREAS, the lowest bidder, Apex Envirotech, Inc., failed to list all subcontractors who will perform more than one half of one percent of the bid work in their bid proposal as required per California's Public Contract Code 4110, hence their bid is considered non-responsive; and

WHEREAS, staff recommends rejecting the non-responsive bid; awarding the contract to the lowest responsive bidder, Applied Water Resources, in the amount of \$344,502.50; and appropriating additional funds in the amount of \$430,000.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby reject the non-responsive bid of Apex Envirotech, Inc., of Gold River, California; and

BE IT FURTHER RESOLVED that the City Council does hereby award the contract for the Western and Southern Plumes Monitoring Wells Installation Project to the lowest responsive bidder, Applied Water Resources, of Walnut Creek, California, in the amount of \$344,502.50; and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized to execute the contract; and

BE IT FURTHER RESOLVED that funds in the amount of \$430,000 be appropriated from the Western Plume Fund and the Southern Plume Fund for this project.

Dated: January 15, 2014

I hereby certify that Resolution No. 2014-01 was passed and adopted by the City Council of the City of Lodi in a regular meeting held January 15, 2014, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Johnson, Mounce, Nakanishi, and Mayor Katzakian

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None

  
RANDI JUHL-OLSON  
City Clerk

CITY COUNCIL

PHIL KATZAKIAN, Mayor  
LARRY D. HANSEN,  
Mayor Pro Tempore  
BOB JOHNSON  
JOANNE L. MOUNCE  
ALAN NAKANISHI

# CITY OF LODI

## PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6706  
FAX (209) 333-6710  
EMAIL [pwdept@lodi.gov](mailto:pwdept@lodi.gov)  
<http://www.lodi.gov>

KONRADT BARTLAM  
City Manager  
RANDI JOHL-OLSON  
City Clerk  
D. STEVEN SCHWABAUER  
City Attorney  
F. WALLY SANDELIN  
Public Works Director

January 9, 2014

Apex Envirotech, Inc.  
11244 Pyrites Way  
Gold River, CA 95670

Applied Water Resources  
1600 Riviera Avenue, Ste. 310  
Walnut Creek, CA 94596

**SUBJECT: Adopt Resolution Rejecting Non-Responsive Bid and Awarding Contract for Western and Southern Plumes Monitoring Wells Installation Project to Applied Water Resources, of Walnut Creek (\$344,502.50) and Appropriating Funds (\$430,000)**

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, January 15, 2014. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Randi Johl, City Clerk, at (209) 333-6702.

If you have any questions about the item itself, please call Lyman Chang, Senior Civil Engineer, at (209) 333-6800, extension 2665.



*for:* F. Wally Sandelin  
Public Works Director

FWS/pmf

Enclosure

cc: City Clerk