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Lodi City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2006-173

A RESOLUTION OF THE LODI CITY COUNCIL ACCEPTING
IMPROVEMENTS UNDER CONTRACT FOR WHITE SLOUGH WATER
POLLUTION CONTROL FACILITY HOLDING POND NO. 1
REHABILITATION, 12751 NORTH THORNTON ROAD, BETWEEN
THE CITY OF LODI AND DELTA OILFIELD SERVICES, INC.,
AND APPROPRIATING ADDITIONAL FUNDS

WHEREAS, the White Slough Water Pollution Control Facility Holding Pond No. 1 Rehabilitation, 12751 North Thornton Road, Project consisted of windrowing, aerating, and air drying approximately 25,000 cubic yards of eroded soil and organic material in place at the bottom of Holding Pond No. 1; and

WHEREAS, the project also consisted of loading, hauling, and placing the suitably-dried material at a designated storage yard at the White Slough Water Pollution Control Facility and other incidental and related work, all as shown on the plans and specifications for the project; and

WHEREAS, the project was awarded to Delta Oilfield Services, Inc., of Woodland, California, on April 5, 2006, in the amount of \$167,500.00, and the contract has been completed in substantial conformance with the plans and specifications approved by City Council; and

WHEREAS, the contract completion date was September 28, 2006, and the actual completion date was August 23, 2006, with the final contract price being \$176,294.50; and

WHEREAS, the difference between the contract amount and the final contract price is mainly due to an additional 1,353 cubic yards of material that was removed from Pond No. 1. The contract quantity for moving the soil material was an estimate and truckloads were counted during the project to obtain a more accurate measurement. As part of the contract award, Council approved an appropriation of \$175,000.00 to fund this project. This \$175,000.00 included monies to cover contingencies on this project, but this was not enough to fund all of the extra material that was moved; and

WHEREAS, staff requests Council approval for an additional appropriation of \$1,500.00 to cover the costs for this contract, as well as other incidental project-related costs.

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GARY W. FREEMAN
Assessor-Recorder-County Clerk
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NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lodi hereby finds as follows:

1. That all requirements of the contract between the City of Lodi and Delta Oilfield Services, Inc., of Woodland, California, for the White Slough Water Pollution Control Facility Holding Pond No. 1 Rehabilitation, 12751 North Thornton Road, Project have been substantially complied with as specifically set forth in the plans and specifications previously approved by the City Council on February 15, 2006; and
2. That the Lodi City Council hereby approves appropriation of an additional \$1,500.00 to cover the costs for this contract, as well as other incidental project-related costs; and
3. That the City Engineer is hereby directed to file a Notice of Completion as required by law with the County Recorder's office. Said Notice serves to notify vendors and subcontractors that the project is complete and begins their 30-day period to file a stop notice requiring the City to withhold payments from the prime contractor in the event of a payment dispute.

Dated: September 20, 2006

I hereby certify that Resolution No. 2006-173 was passed and adopted by the City Council of the City of Lodi in a regular meeting held September 20, 2006, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Hansen, Johnson, Mounce,
and Mayor Hitchcock

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


JENNIFER M. PERRIN
Interim City Clerk