



July 27, 2022

Governing Board Communication

Agenda Item B-2

**TO: MERA Governing Board**  
**FROM: Dave Jeffries, Deputy Executive Officer for the Next Gen System**  
**SUBJECT: Bid Package 1A – Approve the Notice of Completion and Change Order 006**

Recommended Action: Action Items:

- 1) Consider approval of Change Order #6 and \$3,615.23 in excess of the remaining contingency.
- 2) Consider authorizing the filing of the Construction Notice of Completion for Bid Package #1A.

Background:

- 1) Bid Package #1A includes Mt. Tiburon, Stewart Point and Dollar Hill.
- 2) On 04/28/2021, the MERA Governing Board awarded the contract for Bid Package #1A to Fidato for \$410,000.
- 3) Contract and Change Order Summary:

Date	GB Report	Action	Amount	Comment
4/28/2021	GB B-5	Contract BP-1A	\$410,000.00	Original Contract
10/27/2021	GB B-4	PCO - 1	\$108,306.19	Tiburon Structural Upgrade
11/17/2021	GB B-3	PCO - 2	-\$1,924.45	Dollar Hill
11/17/2021	GB B-3	PCO - 3	\$113,112.28	Stewart Point
1/26/2022	GB B-3	PCO - 4	\$15,053.04	Tiburon Cable Relocation
03/23/2022	GB B-3	PCO - 5	\$103,665.13	Dollar Hill
		Total Approved	\$748,212.09	
06/12/2022	Fidato	Pay App #1	\$676,068.44	90% payment completed
07/27/2022	GB B-2	PCO – 6	\$62,976.23	Final Change Order
		New Total:	\$811,188.42	
<i>Pending</i>	Fidato	Pay App #2	\$94,560.56	Pending Fidato Pay App
<i>Pending</i>	Fidato	Final Payment	\$40,559.42	5% Retention amount

- 4) Following the approval of PCO-5, Fidato encountered differing conditions during foundation work at Stewart Point and Dollar Hill that required minor changes directed by the design engineers with field feedback during construction. The delays in Stewart Point BAAQMD permits required additional work to ensure continuity during the installation of the new generator. This PCO also contains credits for work not needed because shelter floors were in better condition than expected. Fidato submitted a clean-up final proposed change order in the amount of \$62,976.23. If this proposed change order is approved the final cost will be \$811,188.42.

- 5) The current remaining contingency amount for Bid Package #1Aa is \$59,361.00 (GB Report #B3, 03/23/2022). As part of the approval of Change Order #6, the Governing Board is requested to approve \$3,615.23 not covered by the contingency amount.

- 6) The MERA Construction Manager states, "The project was completed in accordance with the plans and specifications as required by the Marin Emergency Radio Authority. The work was inspected and tested as required by the contract."
- 7) A Notice of Completion, if authorized by the Board, will be filed with the County Recorder after the meeting. Inspections are complete and no findings are outstanding.
- 8) Lien releases have been received from Fidato and their subcontractors for their first pay application and we will be receiving additional lien releases prior to final payment.
- 9) Fidato previously submitted a Request for Payment for Bid Package #1A (\$676,068.44), which was previously approved and represented 90% of the overall project at that time (Pre-Change Order #6). The remainder is available for payment with the completion of the Bid Package sites, except for the 5% retention of the overall project (Including Change Order #6). The filing of the Notice of Completion will, after a 30-day period, authorize payment of the Bid Package #1A 5% retention of \$40,599.42.

Attachments:

B-2A) Project Completion Memo, dated 04/29/2022

B-2B) Bid Package 01A, Proposed Contract Change Order #006, dated 07/27/2022