

Council/Agency Meeting Held: _____	City Clerk's Signature
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: 11/5/2007	Department ID Number: PW 07-063

**CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION**

SUBMITTED TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

SUBMITTED BY: *Penelope Culbreth Graft*
PENELOPE CULBRETH-GRAFT, DPA, CITY ADMINISTRATOR

Travis K. Hopkins
PREPARED BY: TRAVIS K. HOPKINS, PE, ACTING DIRECTOR OF PUBLIC WORKS-ENGINEERING

SUBJECT: Approve Amendment # 1 for Contract CP-0501 with the Orange County Sanitation District for the Cooperative Projects Program

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

Statement of Issue: The City was required to enter into an agreement with the Orange County Sanitation District (District) for the FY 2005/06 Cooperative Projects Program to be eligible for grant funding. This Amendment extends the term of the original contract an additional nine months.

Funding Source: No funding required for this action. The approved grant amount is \$201,153.

Recommended Action: Motion to:

Approve and authorize the Mayor and City Clerk to execute Amendment No. 1 Cooperative Projects Program Contract No. CP-0501.

Alternative Action(s):

Reject the Amendment for the contract with the Orange County Sanitation District Cooperative Projects Program and direct staff on how to proceed with the project. This action could result in the loss of up to \$201,153 in grant funds.

E-4

REQUEST FOR CITY COUNCIL ACTION

MEETING DATE: 11/5/2007

DEPARTMENT ID NUMBER: PW 07-063

Analysis:

The District's Cooperative Projects Program provides cities that operate within the District's service area an opportunity to receive up to 50% of project funds from the District to help eliminate or reduce water inflow and/or groundwater infiltration into the collection system. The benefit of the project is to limit the amount of excess water flowing into the District's processing plant and, thus, requiring treatment.

On May 24, 2006, the District approved grant funding in the amount of \$201,153 for the rehabilitation of 31,000 lineal feet of sewer mains in an area generally bounded by Hamilton Avenue, Brookhurst Street, Banning Avenue and Bushard Street. The City Council approved the original contract on July 17, 2006. The original term of the contract was from the date of execution through the completion of the project, or July 1, 2007, which ever came first.

In January of this year, the City awarded a contract to Sancon Technologies for the 2006/2007 Sewer Rehabilitation Project, CC-1252. Sancon Technologies began work on the project on April 2, 2007, with an anticipated completion date of February 27, 2008. Amendment #1 extends the term of the contract an additional nine (9) months to allow the City to complete the specified project.

Strategic Plan Goal: I-1 Improve the City's plan for funding and completing infrastructure needs and develop strategies for resolving crucial infrastructure problems to preserve the physical foundation of the community and enable the community's value to grow.

Public Works Commission Action: Not required.

Environmental Status: Not applicable.

Attachment(s):

City Clerk's Page Number	No.	Description
3	1.	Amendment No. 1 to Contract No. CP-0501 (2-copies)

E4.3

ATTACHMENT #1

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AMENDMENT NO. 1 TO COOPERATIVE
PROJECTS PROGRAM CONTRACT NO. 0501

THIS AMENDMENT NO. 1 TO COOPERATIVE PROJECTS PROGRAM
CONTRACT NO. 0501, is made and entered into by and between:

ORANGE COUNTY SANITATION DISTRICT,
hereinafter referred to as "OCSD";

AND

CITY OF HUNTINGTON BEACH,
hereinafter referred to as "AGENCY".

RECITALS

WHEREAS, on August 23, 2006, OCSD entered into a Cooperative Projects Program Contract ("Original Contract") with AGENCY, in connection with OCSD's Cooperative Projects Program; and

WHEREAS, the term of the Contract is from the date of contract execution by both parties, through completion of the Project, or July 1, 2007, whichever occurs first; and

WHEREAS, the Original Contract with AGENCY has expired prior to the Project's completion; and

WHEREAS, OCSD and AGENCY desire to extend the term of the Original Contract for a maximum period of nine (9) months, from July 1, 2007 to allow AGENCY to satisfy all terms and conditions of the Original Contract, and other unanticipated delays to its Project; and

WHEREAS, pursuant to the terms of the Original Contract, any extension beyond eighteen (18) months may only be approved by OCSD's Board of Directors.

NOW, THEREFORE, in consideration of the foregoing, it is agreed between the Parties hereto as follows:

Section 1: The term of the Original Contract shall be extended from July 1, 2007, for an additional nine (9) months from the original Project completion date, unless terminated earlier as provided for in Paragraph 6 of the Original Contract, for all work performed on or before April 3, 2008.

Section 2: All Project deliverables, invoices, and requests for reimbursement must be received by OCSD no later than June 3, 2008.

Section 3: Except as modified herein, all other terms and conditions of the Original Contract shall remain in full force and effect.

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IN WITNESS WHEREOF, the Parties hereto have caused this Amendment No. 1 to Cooperative Projects Program Contract No. 0501 to be duly executed on their behalf by their authorized representatives.

ORANGE COUNTY SANITATION DISTRICT

Date _____

By _____
Chair, Board of Directors

By _____
Clerk of the Board

APPROVED AS TO FORM:
BRADLEY R. HOGIN
OCSD COUNSEL

By 

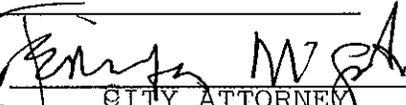
CITY OF HUNTINGTON BEACH

Date _____

By _____
MAYOR

By _____
CITY CLERK

APPROVED AS TO FORM:

By  10-24-07
CITY ATTORNEY

 10-10-07

 10/10/07

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EDMS: 003842149

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