



City of Fresno

2600 Fresno Street
Fresno, CA 93721
www.fresno.gov

Meeting Minutes - Final City of Fresno Capital Projects Oversight Board

BOARDMEMBERS

Chair Joe Garcia, Vice Chair Michael Lopez, Board Member Ann Kloose; Board Member Sal Gonzales; Board Member Al Solis; Board Member Alan Davis; Board Member Brian Whelan; Board Member Nathan Alonzo; Non-voting Member Luis Chavez

Monday, July 9, 2018

5:30 PM

City Hall Meeting Room A
(2165)

2600 Fresno Street, 2nd
Floor

Regular Meeting

The purpose of this meeting of the City of Fresno Capital Project Oversight Board is to meet and consider the following:

The City of Fresno Capital Projects Oversight Board met in regular session at City Hall, in Room 2165 on the date and time above.

1. CALL TO ORDER

The meeting was called to order at 5:45 p.m.

Present 5 - Board Member Al Solis, Board Member Ann Kloose, Chair Joe Garcia, Board Member Sal Gonzales, and Board Member Brian Whelan

Absent 3 - Board Member Alan Davis, Vice Chair Michael Lopez, and Board Member Nathan Alonzo

2. APPROVAL OF THE AGENDA

On motion of Board Member Solis, seconded by Board Member Kloose, that the above be approved. The motion carried by the following vote:

Aye: 5 - Board Member Solis, Board Member Kloose, Chair Garcia, Board Member Gonzales and Board Member Whelan

Absent: 3 - Board Member Davis, Vice Chair Lopez and Board Member Alonzo

3. APPROVAL OF MINUTES

[ID18-0863](#) Approval of the Minutes of the June 4, 2018 meeting.

Chair Garcia questioned if one of the items had a "no" vote. Clerk Spence said she would review the audio and make any necessary changes and bring the minutes of June 4, 2018 back to the next Oversight Board meeting for approval.

4. DISCUSSION ITEM

[ID18-0862](#) DPU Large Construction Contracts Change Status Report (Information only - no action)

Interim Director Carbajal went over the highlights of the report. Boardmember Kloose requested more detail on item #31 on page 8 regarding the changing conditions of cost recovery. Interim Director Carbajal provided more details and walked the board through the process and advised that he will keep them updated on the progress. Boardmember Kloose stated that due to the size and scope of this item she wanted to bring it to the attention of the board so that the board can keep tabs on it. There was also discussion regarding the item on page 17, item CCO 005. Boardmember Kloose asked if the board has seen this one before. Staff stated that the item was approved and went to the City Council for approval and that was related to the SCADA intergration. Interim Director Carbajal provided an update and additional information.

Boardmember Gonzales asked staff about Geotech and was there something significant that caused the change of position of the soil. Staff reported that at this point they cannot say without further research. Boardmember Gonzales requested that staff bring this item back with an update.

Chair Garcia asked if this item has to get litigated out because it goes to that extent and an award is made to Garney, what authority would we have as a board? Attorney Collet explained that it would still be processed as a

change order and would still come through the board, that's typically how we would deal with it. It still has to get processed through the construction contract.

Chair Garcia also discussed timely notices and stated that he hoped the City of Fresno is doing their due diligence in the following the contract by ensuring that they did meet their notification requirements and that he would be looking at that in the future.

5. CHANGE ORDERS

ID18-0864 and ID18-0865 were presented and voted on together.

[ID18-0864](#) Approve Southeast Surface Water Treatment Facility (SESWIT) Project - Change Order No. 15

Interim Director Carbajal discussed change order number 15. The cost of this change order is \$197,819. There is no time extension associated with the change. There are 14 items in total and two comprise over 50% of the cost. Boardmember Gonzales asked about the UPS and if it was supposed to be in the construction document. Director Carbajal stated that they have started to use track changes. Boardmember Whelan asked what the industry standard is. Interim Director Carbajal stated that the total change on a project is between 1%-3%.

On motion of Board Member Solis, seconded by Board Member Kloose, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Board Member Solis, Board Member Kloose, Chair Garcia, Board Member Gonzales and Board Member Whelan

Absent: 3 - Board Member Davis, Vice Chair Lopez and Board Member Alonzo

[ID18-0865](#) Approve Regional Transmission Main Segment A1 (RTMA1) Project - Change Order No. 7

Interim Director Carbajal introduced this item stating that there is a -\$390,341.46 value. No additional contract days are included in this change order. He also stated that he mentioned in a prior meeting that there would be one more change order for RTM Segment A1. This is really a

rebalancing and change order to close out certain bid items within the contract. There was discussion on the items on page 2 of 3. This will be the final change order. This facility is in operation by the contractor. We are moving towards closing out this contract.

When asked if there was any public comment, George Hostetter spoke stating he was confused why ID18-0867 was not being considered by the board. Chair Garcia explained that one of the boardmembers would have to recuse himself from the vote and that would create less than a quorum of the board. Boardmember Whelan identified himself as the one who would need to recuse himself. Mr. Hostetter if he could explain why. Boardmember Whelan stated that he represents a subcontractor who has an interest in the outcome.

On motion of Board Member Solis, seconded by Board Member Kloose, that the above Action Item be approved. The motion carried by the following vote:

Aye: 5 - Board Member Solis, Board Member Kloose, Chair Garcia, Board Member Gonzales and Board Member Whelan

Absent: 3 - Board Member Davis, Vice Chair Lopez and Board Member Alonzo

[ID18-0867](#) Approve Kings River Pipeline (KRP) Project - Change Order No. 6

This item was laid over until the next board meeting due to lack of a quorum.

6. UNSCHEDULED COMMUNICATION

When Unscheduled Communications was called, George Hostetter spoke. Mr. Hostetter had a question on file ID18-0867. He said, if I understand correctly, a \$3.5 million in a \$46 million contract is 7.5% over. He said he was curious for the sake of the readers of the CVObserver if there are any thoughts about the size of that change order. Interim Director Carbajal clarified that it is not a change order. It is a potential change that the city is evaluating right now and we will update the board as more information becomes available.

7. MEMBER COMMENTS

There were no member comments.

8. ADJOURN

The meeting adjourned at 6:17 p.m.

The above minutes were approved at the July 23, 2018 meeting with a motion from Board Member Alonzo and a second from Board Member Davis. The motion passed on a 5-0 vote, with Board Members Gonzales and Whelan absent.

PLEASE NOTE: Due to size and volume, supporting documents are provided to board members in electronic format. Copies of supporting documents are available for public review in the Office of the City Clerk.