

3.10

DEPARTMENT OF  
PUBLIC WORKS

ENGINEERING DIVISION

THOMAS M. FINLEY  
ENGINEERING DIVISION MANAGER

City Council  
Sacramento, California

CITY OF SACRAMENTO  
CALIFORNIA

October 2, 1990

927 TENTH STREET  
ROOM 200  
SACRAMENTO, CA  
95814-2705

916-449-8220

CONSTRUCTION SECTION  
640 BERECUT DRIVE  
SUITE B  
SACRAMENTO, CA  
95814-0131

916-449-5282

Honorable Members In Session:

SUBJECT: Chemical Storage and Feed Facility Expansion (PN:XD21) - Liquidated Damages

SUMMARY

This project was approved for final acceptance by the City Council on August 14, 1990. This item is a report of liquidated damages assessed on the project.

BACKGROUND

Chapek Construction of Sacramento has completed Project No. XD21, Council Contract No. CO89011, dated September 5, 1989. This project provided for the expansion of the chemical storage capacity of the sodium hypochlorite/sodium bisulfite wastewater treatment system located at the Combined Wastewater Treatment Facility on 35th Avenue between South Land Park Drive and Freeport Boulevard.

On August 14, 1990 this project was brought before the City Council for final acceptance without a complete report of the liquidated damages that were assessed on the project and their affect on final project cost. This Council item clarifies the issues and corrects that oversight. This project was previously reported to the Council as completed for a cost of \$168,894.45, which is the amount paid to date to the contractor. The project was actually completed at a cost of \$210,120; however, \$41,225.55 due on the contract has been retained as partial payment of the maximum liability of the contractor for liquidated damages.

Resolution of issues concerning the liquidated damages are being negotiated between the City and the contractor. Final payment will be withheld until the issue of liquidated damages is resolved.

FINANCIAL DATA

As of September 24, 1990, \$41,225.55 has been retained pending resolution of the issue of liquidated damages. This amount will be sufficient to close this contract when authorization is given.

City Council  
Chemical Storage and Feed Facility Expansion (PN:XD21)  
October 2, 1990

POLICY CONSIDERATIONS

This action is in conformance with the City of Sacramento's Standard Specifications for Public Works, Section 3, Determination of Damages, and Liquidated Damages.

MBE/WBE EFFORTS

Only one bid was received for this project. The bid received was not from a minority owned or women owned business enterprise.

RECOMMENDATION

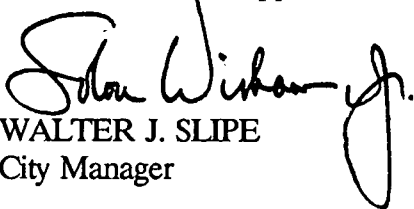
This report is submitted for information purposes to provide a report of liquidated damages which may be assessed on the project.

Respectfully submitted,



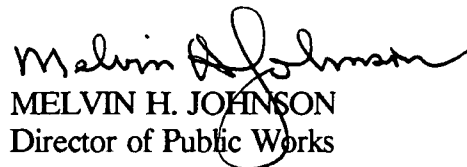
THOMAS M. FINLEY  
Engineering Division Manager

Recommendation Approved:



For: WALTER J. SLIPE  
City Manager

Approved:



MELVIN H. JOHNSON  
Director of Public Works

CONTACT PERSON

Fernando Barcena, Contract Compliance Officer  
449-1222

FB:mw  
CE2- 21  
09.2490.1

October 2, 1990  
District No. 4