



# City of Palo Alto

## City Council Staff Report

(ID # 11652)

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Report Type: Consent Calendar

Meeting Date: 10/19/2020

**Summary Title: Amendment to Utility Pole Replacement Contract with TW Powerline**

**Title: Approval and Authorization for the City Manager to Execute Amendment Number 1 to the Electric Enterprise Fund Contract Number C20177717 With Wire Wrangler, LLC, dba TW Power Line Construction, for the Caltrain Facility Relocation Project (EL-17007) and Wood Pole Replacement Project (EL-19004), to Increase the Authorization to Negotiate and Execute Related Change Orders by \$110,000 to Cover COVID-19 Expenditures, for a Total Not-to-Exceed Amount of \$2,207,049**

**From: City Manager**

**Lead Department: Utilities**

### RECOMMENDATION

Staff recommends that Council:

1. Approve and authorize the City Manager or designee to execute Amendment Number 1 ([Attachment A](#)) to contract C20177717 with Wire Wrangler, LLC, dba TW Power Line Construction ([Linked Contract](#)), to increase the contingency authorization by \$110,000 for a new total amount not to exceed \$2,207,049 for the Caltrain Facility Relocation Project (EL-17007) and the Wood Pole Replacement Project for 2020 (EL-19004).
2. Staff recommends that Council delegate authority to the City Manager or his designee to approve and execute change orders to the contract with Wire Wrangler, LLC, dba TW Power Line Construction, for additional related, but unforeseen work, which may develop during the project, including adjustments for COVID-19; the total of which shall not exceed \$300,641.

The amended total not to exceed authorized amount is \$2,207,049, which includes a contract amount of \$1,906,408 and a contingency of \$300,641.

### DISCUSSION

The Wood Pole Replacement 2020 project includes 84 utility poles (out of a total of 6,000 poles in the system), which need replacement. Many of these poles are in difficult locations such as

residential backyards. The original least-cost process for pole replacement required large numbers of residential outages for up to 12 hours per outage (in one instance affecting about 200 residential properties).

In the past few weeks, COVID-19 work from home orders and online school attendance have been exacerbated by a combination of extreme hot weather and bad air quality from wildfires, making residential power outages very difficult for customers to work around. To reduce the impact, work shutdowns have been ordered on extreme heat event days, and alternative (higher cost) pole replacement techniques were employed to reduce the duration of outages and number of customers affected.

An estimated \$110,000 of the original authorized contingency of \$190,461 has been used to cover the change orders generated from these COVID-19 adjustments. There are still five (5) poles requiring replacement, the work on nine (9) remaining Caltrain crossings, and just \$10,000 left for further contingencies. The \$110,000 requested increase will cover contingencies and change orders for the remaining work, including further COVID-19 adjustments.

#### **RESOURCE IMPACT**

The estimated \$110,000 for the COVID-19 adjustments to date is broken down into these three components:

- Investigation to perform special procedure to minimize outages: 21K
- Alternative work as the result of the investigation above: 45k
- Cancellation of four pole replacements on Sep 15: 44k

#### **STAKEHOLDER ENGAGEMENT**

Residents have contacted Utilities staff and the City Manager to explain the difficulties they are facing from extended power outages in the current situation. The COVID-19 adjustments have been made to address and mitigate customer concerns.

#### **ENVIRONMENTAL REVIEW**

This project is categorically exempt from California Environmental Quality Act (CEQA), under CEQA Guidelines Sec. 15301 (repair or maintenance of existing facilities), and Sec. 15302 (replacement or reconstruction of existing structures and facilities).

#### **Attachments:**

- Attachment B - Amendment No. 1 to C20177717

**AMENDMENT NO. 1 TO CONTRACT NO. C20177717  
BETWEEN THE CITY OF PALO ALTO AND  
WIRE WRANGLER, LLC, DBA TW POWER LINE CONSTRUCTION**

This Amendment No. 1 (this "Amendment") to Contract No. C20177717 (the "Contract" as defined below) is entered into as of October 19, 2020, by and between the CITY OF PALO ALTO, a California chartered municipal corporation ("CITY"), and WIRE WRANGLER, LLC dba TW Power Line Construction, a limited liability company, located at 1677 Eureka Road, Roseville, CA 95661 ("CONTRACTOR"). CITY and CONTRACTOR are referred to collectively as the "Parties" in this Amendment.

**RECITALS**

A. The Contract (as defined below) was entered into by and between the Parties hereto for the provision of Pole Replacement & Caltrain Facility Relocation Services, at various locations in Palo Alto, as detailed therein.

B. The Parties now wish to amend the Contract in order to increase the City's authorization to negotiate and execute change orders in the amount of \$300,641, for a total not-to-exceed amount of \$2,207,049.

NOW, THEREFORE, in consideration of the covenants, terms, conditions, and provisions of this Amendment, the Parties agree:

**SECTION 1. Definitions.** The following definitions shall apply to this Amendment:

- a. **Contract.** The term "Contract" shall mean Contract No. C20177717 between CONSULTANT and CITY, dated June 22, 2020.
- b. **Other Terms.** Capitalized terms used and not defined in this Amendment shall have the meanings assigned to such terms in the Contract.

**SECTION 2.** Section 7.1 of the Contract is hereby amended to read as follows:

7.1 Contract Sum.

Contractor shall be compensated for satisfactory completion of the Work in compliance with the Contract Documents the Contract Sum of Two Million Two Hundred and Seven Thousand Forty Nine Dollars (\$2,207,049).

[This amount includes the bid items 1 to 95.]

**SECTION 3. Legal Effect.** Except as modified by this Amendment, all other provisions of the Contract, including any exhibits thereto, shall remain in full force and effect.

**SECTION 6. Incorporation of Recitals.** The recitals set forth above are terms of this Amendment and are fully incorporated herein by this reference.

*(SIGNATURE BLOCK FOLLOWS ON THE NEXT PAGE.)*

**SIGNATURES OF THE PARTIES**

IN WITNESS WHEREOF, the Parties have by their duly authorized representatives executed this Amendment effective as of the date first above written.

**CITY OF PALO ALTO**

City Manager

APPROVED AS TO FORM:

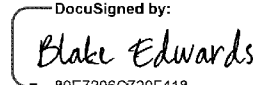
City Attorney or designee

**WIRE WRANGLER, LLC, DBA TW  
POWER LINE CONSTRUCTION**

**Officer 1**

DocuSigned by:  
*Brian Corrigan*  
By:   
Name: Brian Corrigan  
Title: Vice President & GC

**Officer 2**

DocuSigned by:  
*Blake Edwards*  
By:   
Name: Blake Edwards  
Title: Project Manager

## Certificate Of Completion

Envelope Id: B2157CBAD7BE4DEF897A86EF5D9DB734

Status: Completed

Subject: Please DocuSign: Amendment 1- Wire Wrangler.pdf

Source Envelope:

Document Pages: 3

Signatures: 2

Envelope Originator:

Certificate Pages: 2

Initials: 0

Terry Loo

AutoNav: Enabled

250 Hamilton Ave

Envelopeld Stamping: Enabled

Palo Alto , CA 94301

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Terry.Loo@CityofPaloAlto.org

IP Address: 199.33.32.254

## Record Tracking

Status: Original

Holder: Terry Loo

Location: DocuSign

9/30/2020 2:10:43 PM

Terry.Loo@CityofPaloAlto.org

Security Appliance Status: Connected

Pool: StateLocal

Storage Appliance Status: Connected

Pool: City of Palo Alto

Location: DocuSign

## Signer Events

Brian Corrigan

brian@twpowerline.com

Vice President & GC

Security Level: Email, Account Authentication (None)

## Signature

DocuSigned by:

B74358CF230F459...

Signature Adoption: Pre-selected Style

Using IP Address: 192.92.1.249

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Viewed: 9/30/2020 2:16:17 PM

Signed: 9/30/2020 2:23:37 PM

## Electronic Record and Signature Disclosure:

Not Offered via DocuSign

Blake Edwards

blake@twpowerline.com

Project Manager

Security Level: Email, Account Authentication (None)

DocuSigned by:

80E7208C720F418...

Signature Adoption: Pre-selected Style

Using IP Address: 67.169.17.105

Signed using mobile

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Viewed: 9/30/2020 2:24:22 PM

Signed: 9/30/2020 2:40:48 PM

## Electronic Record and Signature Disclosure:

Not Offered via DocuSign

## In Person Signer Events

## Signature

## Timestamp

## Editor Delivery Events

## Status

## Timestamp

## Agent Delivery Events

## Status

## Timestamp

## Intermediary Delivery Events

## Status

## Timestamp

## Certified Delivery Events

## Status

## Timestamp

## Carbon Copy Events

## Status

## Timestamp

Tabatha Boatwright

tabatha.boatwright@cityofpaloalto.org

Administrative Associate III

City of Palo Alto

Security Level: Email, Account Authentication (None)

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## Electronic Record and Signature Disclosure:

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**Carbon Copy Events****Status****Timestamp**

Henry Nguyen  
Huynh.Nguyen@CityofPaloAlto.org  
Senior Electric Engineer  
Security Level: Email, Account Authentication  
(None)

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**Electronic Record and Signature Disclosure:**  
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**Witness Events****Signature****Timestamp****Notary Events****Signature****Timestamp****Envelope Summary Events****Status****Timestamps**

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Signing Complete	Security Checked	9/30/2020 2:40:52 PM
Completed	Security Checked	9/30/2020 2:40:52 PM

**Payment Events****Status****Timestamps**