



Daniel Woldesenbet, Ph.D., P.E., General Manager

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December 28, 2020

Honorable Board of Supervisors
County Administration Building
1221 Oak Street, Suite 536
Oakland, CA 94612-4305

SUBJECT: TERMINATE THE CONTRACT WITH PMK CONTRACTORS FOR THE EMBANKMENT REPAIR OF LINE K IN THE VICINITY OF ROBERTS AVENUE IN FREMONT, ALAMEDA COUNTY, CALIFORNIA; SPECIFICATION NO. FC 6-M-130, AND AUTHORIZE RE-ADVERTISEMENT OF THE PROJECT AT A LATER DATE

Dear Board Members:

RECOMMENDATION:

- A. Terminate the contract (Procurement Contract No. 18968) with PMK Contractors (Principal: Yadwinder Singh, President; Location: Hayward) at the request of the contractor for the Embankment Repair of Line K in the Vicinity of Roberts Avenue in Fremont, Alameda County, California; Specification No. FC 6-M-130; and
- B. Authorize re-advertisement of the project at a later date.

SUMMARY/DISCUSSION:

Your Board previously approved the contract for the embankment repair with PMK Contractors on 8/6/19 (Item No. 56), in the amount of \$186,290. The project consists, in general, of providing and implementing water pollution control plan; providing traffic control system and construction area signs; clearing and grubbing; dewatering; channel excavation and disposal of sediment; backfilling of eroded slope; installing rock slope protection; outfall repair; hydro-seeding and installing erosion control coir matting; and miscellaneous work necessary to complete said project. It was determined during review of the contractors project schedule that they would be unable to meet the required completion date of October 15th imposed by the environmental permits for the project. The contractor agreed to postpone the start of the construction until after April 15, 2020 at no additional cost to the contract amount.

PMK Contractors as well as its subcontractors, were unable to fully resume its operations and work force after April 15, 2020 as result of Covid-19 and therefore on 8/18/2020 requested that the

District terminate this contract. The District recommends that termination of the contract be approved and to move forward with a responsible contractor who is willing and able to perform the work. PMK has agreed in writing that it is not owed any compensation or costs relating to the termination of this contract. No work has occurred as part of this project. Upon the Board's approval of termination, the Public Works Agency Director or designee will send written notice of termination to the contractor.

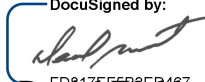
FINANCING:

Funding for this contract is included in the Flood Control District's Fiscal Year 2020-21 Approved Budget. There will be no impact to the County General Fund, and no increase in net County cost as a result of this action.

VISION 2026

This project advances our 10X Goal of providing **Accessible Infrastructure** by constructing and restoring an embankment of a flood control facility, and preserving and maximizing the useful life of public infrastructure. Ultimately, the project supports the achievement of Alameda County's shared visions of having **Healthy Environment** and **Safe and Livable Community**.

Yours truly,
DocuSigned by:



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Daniel Woldesenbet, Ph.D., P.E.
Director of Public Works

DW/jc

c: Auditor-Controller's Office
Clerk of the Board
County Counsel