



**NAPA-VALLEJO WASTE  
MANAGEMENT AUTHORITY**

Agenda Date: 4/7/2005

Agenda Placement: 6A

## Napa-Vallejo Waste Management Authority Board Agenda Letter

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**TO:** Board of Directors  
**FROM:** Jill Pahl for Trent Cave - Manager  
Napa-Vallejo Waste Management Authority  
**REPORT BY:** Jill Pahl, Asst Dir of Environmental Management, 253-4410  
**SUBJECT:** Termination of Agreement #04-03

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### **RECOMMENDATION**

#### **TERMINATION OF AGREEMENT #04-03.**

REQUESTED ACTION: Approval to terminate Authority Agreement #04-03 with D.W. Nicholson to construct the Microturbine Landfill Gas to Energy Facilities - American Canyon Sanitary Landfill and Wastewater Treatment Plant.

### **EXECUTIVE SUMMARY**

Significant changes were required in the plans to respond to PG&E issues. These changes resulted in proposed construction expenses that were more than the allowable limits. Staff sent the attached notice to the contractor and he has been cooperative. At this point the contractor has not identified any expenses that the Authority would have to reimburse them for. No materials had been purchased; just some administrative time reimbursement and possibly the cost bid bond may be requested.

### **FISCAL IMPACT**

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	Yes
Where is it budgeted?	Napa-Vallejo Waste Management Authority
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	The changes are too expensive to allow a change order.

Is the general fund affected? No  
Future fiscal impact: The project will be re-advertised and re-bid.  
Consequences if not approved: The Authority cannot legally proceed with a change order.  
Additional Information: None

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

### **BACKGROUND AND DISCUSSION**

PG&E has made changes to their requirements for microturbines as this project has lagged in its development. At another site, PG&E required the new requirements be included and would do the same with this project. The design contractor is revising the bid package, and the following item is requesting the release of the revised project.

### **SUPPORTING DOCUMENTS**

A . Letter to Contractor

Manager: Approve  
Reviewed By: Jill Pahl