



Moraga-Orinda Fire District

Board of Directors

CALL AND NOTICE OF A SPECIAL MEETING

September 29, 2017

4:00 p.m. OPEN SESSION

4:15 p.m. CLOSED SESSION

Sarge Littlehale Community Room
33 Orinda Way
Orinda, CA 94563

1. OPENING CEREMONIES

- 1.1. Call the Meeting to Order
- 1.2. Roll Call
- 1.3. Pledge of Allegiance
- 1.4. Core Values – Service, Honor, Integrity

2. PUBLIC COMMENT

The public is invited to speak on any matter not appearing on the agenda including Closed Session, and within the subject matter jurisdiction of the District. Comments should be limited to three minutes. Please state your name and address for the record.

3. REGULAR AGENDA

- 3.1. **Amendment to Station 43 Construction Contract with Federal Solutions Group, Inc.**
Staff will present information to the Board regarding an amendment to the Construction Contract with FSG.
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Approve amendment to the FSG contract
- 3.2. **Resolution 17-16 Amending Resolution 17-10 Authorizing Spending Limits for the Station 43 Project**
Staff will present information to the Board regarding Resolution 17-16 Amending Resolution 17-10 Authorizing Spending Limits for the Station 43 Project.
Staff Recommendation: 1) Discuss; 2) Deliberate; 3) Adopt Resolution 17-16

4. CLOSED SESSION

- 4.1. **Conference with Legal Counsel – Potential Litigation**
Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: one (1) potential matter
- 4.2. **Public Employee Appointment**
(Government Code Section 54957)
Title: Fire Chief
- 4.3. **Conference with Labor Negotiator**
(Government Code Section 54957.6)
Agency Designated Representative: Eddie Kreisberg
Employee Organization: International Association of Firefighters IAFF, Local 1230
- 4.4. **Conference with Labor Negotiator**
(Government Code Section 54957.6)
Agency Designated Representative: Eddie Kreisberg
Employee Organization: Local 2700 United Clerical, Technical & Specialized Employees
- 4.5. **Conference with Labor Negotiator**
(Government Code Section 54957.6)
Agency Designated Representative: Eddie Kreisberg
Employee Organization: Moraga-Orinda Fire Chief Officers Association (MOFCOA)

5. RECONVENE THE MEETING
5.1. Call the Meeting to Order

6. REPORT OF CLOSED SESSION ACTION

7. PUBLIC COMMENT

The public is invited to speak on any matter not appearing on the agenda, and within the subject matter jurisdiction of the District. Comments should be limited to three minutes. Please state your name and address for the record.

8. ADJOURNMENT

This agenda is posted pursuant to the provisions of the Government Code commencing at Section 54956.

The date of posting is September 28, 2017.

MORAGA-ORINDA FIRE DISTRICT



Grace Santos
Clerk to the Board

The Moraga-Orinda Fire Protection District ("District"), in complying with the Americans with Disabilities Act ("ADA"), requests individuals who require special accommodations to access, attend and/or participate in District Board meetings due to a disability, to please contact the District Chief's office, (925) 258-4599, at least one business day prior to the scheduled District Board meeting to ensure that we may assist you.



Moraga-Orinda Fire District

TO: Board of Directors
FROM: Jerry Lee, Interim Fire Chief
DATE: September 29, 2017
SUBJECT: Item 3.1 – Approval of Amendment to Station 43 Construction Contract with Federal Solutions Group, Inc.

BACKGROUND

The Moraga-Orinda Fire District executed a separate written agreement with Pacific Mountain Construction (PMC) to terminate PMC's right to proceed and to assign subcontractor claims to the awarded contractor. Some claim materials and/or value toward the construction project were determined to be inaccurate.

The District shall pay four claims directly, and Federal Solutions Group shall reduce their contract amount according to First Amendment to the Contract for Construction of Fire Station 43.

RECOMMENDATION

- 1) Discuss; 2) Deliberate; 3) Approve First Amendment to the Contract for Construction of Fire Station 43



Moraga-Orinda Fire District

TO: Board of Directors
FROM: Jerry Lee, Interim Fire Chief
DATE: September 29, 2017
SUBJECT: Item 3.2 – Resolution 17-16 Amending Resolution 17-10 Authorizing Spending Limits for the Fire Station 43 Construction Project

BACKGROUND

The Fire Chief has authorization to approve any single change or modification to the contract for the construction of the Fire Station 43 in an amount not to exceed \$10,000 without prior consent of the Board. Staff was directed to raise this limit to \$20,000.

ATTACHMENT

- 1) Attachment A – Resolution 17-16 Amending Resolution 17-10 Authorizing Spending Limits for the Fire Station 43 Construction Project

RECOMMENDATION

- 1) Discuss 2) Deliberate 3) Approve Resolution 17-16

RESOLUTION NO. 17-16

**AMENDING RESOLUTION NO. 17-10
AUTHORIZING SPENDING LIMITS FOR
THE STATION 43 PROJECT**

WHEREAS, the Moraga-Orinda Fire District of Contra Costa County (“District”) has awarded a contract for construction of Fire Station 43; and;

WHEREAS, the contract for construction of Fire Station 43 requires the District to approve all changes and modifications to that agreement; and,

WHEREAS, the District Board in Resolution 17-10 gave the Fire Chief limited flexibility to approve certain changes and modifications to the contract for construction of Fire Station 43 to efficiently assist in managing the construction process in connection with the District’s construction manager; and

WHEREAS, the Board now desires to increase the Fire Chief’s single change order authority from \$10,000 to \$20,000.

NOW THEREFORE, BE IT RESOLVED that “ten thousand dollars (\$10,000)” in item 1 of the resolving paragraph of Resolution No. 17-10 shall be amended to read “twenty thousand dollars (\$20,000).”

PASSED, APPROVED and ADOPTED this 29th day of September, 2017 at a special meeting of the District Board of Directors held on September 29, 2017 at 33 Orinda Way, Orinda, California, 94563, on motion made by Director _____, seconded by Director _____, and duly carried with the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attachment A

Dated: September 29, 2017

Kathleen Famulener, President
Board of Directors

ATTEST:

Grace Santos, District Clerk