

**RESOLUTION NO. SCV-126**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF THE SANTA CLARITA VALLEY WATER AGENCY  
APPROVING FUNDING FOR CONSTRUCTION CONTRACT  
AND CONSTRUCTION MANAGEMENT  
TO THE NEWHALL LAND AND FARMING COMPANY, LLC,  
FOR THE MAGIC MOUNTAIN PIPELINE PHASE 6A PROJECT**

**WHEREAS**, Santa Clarita Valley Water Agency (SCVWA) desires to take steps to increase the reliability of its existing water system; and

**WHEREAS**, SCVWA's Capital Improvement Program includes new pipelines to extend the Agency's existing Magic Mountain Pipeline to the future Magic Mountain Reservoir, located in The Newhall Land and Farming Company, LLC, (Newhall Land)'s Mission Village project; and

**WHEREAS**, Newhall Land is constructing the Mission Village project, and would like to install/construct SCVWA's new pipelines in four phases, Magic Mountain Pipeline Phases 4, 5, 6A and 6B, as part of Newhall Land's road improvements, subject to SCVWA's reimbursement; and

**WHEREAS**, any agreement with Newhall Land regarding the Mission Village project is independent of SCVWA's pre-existing plans to construct the pipeline as part of SCVWA's Capital Improvement Program to ensure a reliable supply of water; and

**WHEREAS**, Castaic Lake Water Agency (CLWA), as a CEQA Responsible Agency, filed the Notice of Determination with the Los Angeles County Clerk's Office and the State Clearinghouse on February 24, 2015 and there are no substantial changes to the project, and no further CEQA documentation is necessary for the Board to act with regards to the proposed actions; and

**WHEREAS**, the General Manager executed the Magic Mountain Water Pipeline Installation Agreement with Newhall Land for the construction of the Magic Mountain Pipeline Phases 4-6 on August 1, 2018; and

**WHEREAS**, all bid proposals submitted to the Newhall Land, pursuant to the Magic Mountain Water Pipeline Installation Agreement, and the Agency's construction contract documents, as amended by Addenda, were received by Newhall Land on Wednesday, September 11, 2019 by 2:00 p.m., in full accordance with the law and Newhall Land's customary procedures; and

**WHEREAS**, the Board of Directors finds, after considering the opinion of staff, that the total bid of Toro Enterprises Inc. in the amount of \$7,168,844.85 is the lowest responsible bid of three bids submitted, and that said bid substantially meets the requirements of said construction contract documents as amended by Addenda; and

**WHEREAS**, the Agency's Purchasing Policy allows the General Manager to approve change orders up to four percent (4%) of the original contract amount and the Board of Directors may grant a different change authority on a project-specific basis; and

**WHEREAS**, it is in the Agency's best interest that the Board of Directors change the General Manger's Change Order Authority for this project from four percent (4%) to ten percent (10%); and

**WHEREAS**, under the terms of the Magic Mountain Water Pipeline Installation Agreement, Newhall Land will perform the construction management and miscellaneous construction support services for this project in an amount not to exceed \$320,000.

**NOW, THEREFORE, BE IT RESOLVED** that the Agency's Board of Directors does authorize its General Manager to accept said low bid and does therefore authorize the Agency's General Manager or its Chief Engineer to approve the funding to Newhall Land for a reimbursement to Toro Enterprises Inc., hereby found to be the "lowest responsible bidder" for the Magic Mountain Pipeline Phase 6A Project pursuant to said Agency's construction contract documents, as amended by Addenda, for a total construction budget not to exceed \$7,168,844.85.

**RESOLVED FURTHER** that the Agency's Board of Directors does authorize its General Manager or its Chief Engineer to approve change orders up to ten percent (10%) of the original construction contract amount for the Magic Mountain Pipeline Phase 6A Project with details of all construction change orders being reported to the Board of Directors.

**RESOLVED FURTHER** that the Agency's Board of Directors does authorize its General Manager or its Chief Engineer to approve the funding to Newhall Land for construction management and miscellaneous construction support services for the Magic Mountain Pipeline Phase 6A Project pursuant to the Magic Mountain Water Pipeline Installation Agreement in an amount not to exceed \$320,000.

  
President

I, the undersigned, hereby certify: That I am the duly appointed and acting Secretary of the Santa Clarita Valley Water Agency, and that at a regular meeting of the Board of Directors of said Agency held on October 15, 2019, the foregoing Resolution No. SCV-126 was duly and regularly adopted by said Board, and that said resolution has not been rescinded or amended since the date of its adoption, and that it is now in full force and effect.

DATED: October 15, 2019

  
Secretary

