



City of San Leandro

Meeting Date: December 18, 2017

Staff Report

File Number: 17-682 **Agenda Section:** CONSENT CALENDAR

Agenda Number: 8.P.

TO: City Council

FROM: Chris Zapata
City Manager

BY: Keith Cooke
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: Staff Report for a Resolution to Approve a Consulting Services Agreement Amendment No. 1 for \$86,471 with Carollo Engineers; Inc. Related to the Water Pollution Control Plant Rehabilitation Project, Project No. 593-52-239

SUMMARY AND RECOMMENDATIONS

This contract amendment provides for consulting services to assist with the close out of the construction contract for the Water Pollution Control Plant (WPCP) Rehabilitation project.

Staff recommends the following:

- Approval of Amendment No. 1 to an existing consulting services agreement with Carollo Engineers, Inc. that
 - Provides construction claim support and preparation of record drawings and online maintenance manuals
 - Increases the contract amount by \$86,471, resulting in a total contract amount of \$465,054;
 - Extends the existing contract to December 31, 2018;

BACKGROUND

Carollo Engineers, Inc. provided construction support on the WPCP Rehabilitation project beginning in late 2011 and continued past acceptance in May 2016. Shortly after acceptance of the work, Carollo Engineer's contract for construction support expired, and in September 2016 a new contract was created which included two tasks carried over from the construction support contract as well as new tasks to assist the City with resolving disputes with the general contractor, S.J. Amoroso, Inc. This current contract expires at the end of 2017.

Significant progress has been made on the resolution of disputed items; however, not all items

are resolved. The materials Carollo Engineers need to complete tasks related to documenting record drawings and creating online maintenance manuals have not yet been submitted by the general contractor.

Analysis

Carollo Engineers' work related to documenting record drawings and creating online maintenance manuals is important work that the City still needs. The work has been delayed by the general contractor. Staff recommends that Carollo Engineers continue to provide these services.

While agreement with the general contractor has been reached on many disputed items, additional effort is needed to respond to outstanding claims and to support the City's position regarding analysis of project delays and impacts to the scope of work and schedule. Carollo Engineers remains the most knowledgeable entity with respect to this project and the construction contract and is well positioned to continue providing this service.

To complete negotiations and achieve the desired resolution on outstanding contract close out matters, staff requires Carollo's assistance and expertise. Staff estimates that \$86,471 is required for Carollo to assist with the completion and resolution of outstanding construction contract closeout issues.

Previous Actions

- On September 19, 2016, by Resolution No. 2016-120, the City Council approved a consulting contract agreement with Carollo Engineers, Inc. for closeout consulting services and for services not completed under prior existing engineering consultant services agreement on the WPCP Rehabilitation project.
- On May 2, 2016, by Resolution No. 2016-051, the City Council accepted the work for the WPCP Rehabilitation Project.
- On July 20, 2015, by Resolution No. 2015-133, the City Council approved appropriations in the amount of \$453,000.00 from the WPCP Enterprise Fund Unrestricted Fund Balance to the WPCP Rehabilitation Project.
- On July 5, 2011, by Resolution No. 2011-136, the City Council approved appropriating funds totaling \$43,000,000 from the State Revolving Fund Financing for the WPCP Rehabilitation Project (appropriated \$43,000,000.00).
- On July 5, 2011, by Resolution No. 2011-135, the City Council approved appropriating Funds from the WPCP Enterprise Fund for the WPCP Rehabilitation Project (appropriated \$7,000,000.00).
- On July 5, 2011, by Resolution No. 2011-133, the City Council approved a Consulting Services Agreement with Carollo Engineers related to the WPCP Rehabilitation Project in the amount of \$3,231,229.00.
- On February 7, 2011 by Resolution No. 2011-013, the City Council approved the plans and specifications and called for bids for the subject project.

Applicable General Plan Policies

- Policy CSF 6.4: Wastewater Collection and Treatment. Maintain efficient, environmentally sound, and cost-effective wastewater collection and treatment services in San Leandro.
- Policy CSF 6.5: Capacity. Maintain adequate capacity at the San Leandro wastewater treatment plant to accommodate projected levels of growth within the service area and encourage Oro Loma Sanitary District to do the same. Support efforts to maintain and/or improve the high quality of treated effluent at both plants and increase the feasibility and cost-effectiveness of using recycled wastewater for non-potable purposes.
- Policy CSF 6.8: Maintenance. Ensure that sufficient funding is provided for the ongoing maintenance of City-owned facilities, including streets, street lights, traffic signals, landscaping, street trees, storm drains, public buildings and other infrastructure.

Permits and/or Variances Granted

City Building Permits were issued for the work.

Environmental Review

The project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to section 15301 (b) "Existing Facilities".

Code Compliance Review

Code review was completed as part of the permit approval from the City of San Leandro Building Department and the Alameda County Fire Department.

Fiscal Impacts

The total cost of the project including construction and construction management is \$51,301,957 and the consultant services agreement costs for the closeout contract is as follows:

Existing Agreement	\$378,583
CSA Amendment No. 1 (New Costs)	<u>\$86,471</u>
Total Costs	\$465,054

Budget Authority

This project is funded from the following accounts:

<i>Account No.</i>	<i>Appropriation Dates & Resolution No.</i>	<i>Amount</i>
593-52-251	July 5, 2011; 11-136	\$ 43,000,000
593-52-250	July 5, 2011; 11-135	\$1,610,000
593-52-252	July 5, 2011; 11-135	\$5,390,000
593-52-252	July 20, 2015; 15-133	\$453,000

593-52-209	July 2004; Carryover 2012-13	\$545,735
593-52-236	July 2007; Carryover 2007-08	<u>\$303,222</u>
		\$51,301,957

Attachment(s) to Related Legislative File

- Amendment No.1 to CSA with Carollo Engineers, Inc. for WPCP Closeout

PREPARED BY: Austine Osakwe, Senior Engineer, Engineering and Transportation Department



City of San Leandro

Meeting Date: December 18, 2017

Resolution - Council

File Number: 17-684 **Agenda Section:** CONSENT CALENDAR

Agenda Number:

TO: City Council

FROM: Chris Zapata
City Manager

BY: Keith Cooke
Engineering & Transportation Director

FINANCE REVIEW: David Baum
Finance Director

TITLE: RESOLUTION to Approve a Consulting Services Agreement Amendment No. 1 for \$86,471 with Carollo Engineers, Inc. Related to the Water Pollution Control Plant Rehabilitation Project, Project No. 593-52-239 (provides for additional services related to closeout work for the WPCP Rehabilitation construction contract for total Compensation of \$465,054)

WHEREAS, an agreement dated September 19, 2016 exists between the City of San Leandro and Carollo Engineers, Inc.; and

WHEREAS, an extension of the contract to December 31, 2018 is recommended by staff; and

WHEREAS, a contract amendment is required to compensate for additional services in the amount of \$86,471; and

WHEREAS, Amendment No. 1 to the agreement, a copy of which is attached, was presented to this City Council; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said amendment to the agreement.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said amendment is hereby approved and execution by the City Manager is hereby authorized.

**AMENDMENT NO. 1 TO CONSULTING SERVICES AGREEMENT BETWEEN
THE CITY OF SAN LEANDRO AND
CAROLLO ENGINEERS, INC.
FOR
WATER POLLUTION CONTROL PLANT REHABILITATION PROJECT,
PROJECT CLOSEOUT SUPPORT SERVICES**

This **Amendment No. 1** ("Amendment") is made by and between the City of San Leandro ("City") and Carollo Engineers, Inc. ("Consultant") (together sometimes referred to as the "Parties") as of _____, 2017; it amends that certain Consulting Services Agreement ("Agreement") dated September 16, 2016, between the Parties.

WHEREAS, City and Consultant executed the Agreement, pursuant to which Consultant has provided certain consulting services to City with regard to Water Pollution Control Plant Rehabilitation Closeout Services; and

WHEREAS, the Parties desire to amend the Agreement to increase the total amount of compensation and scope of services; and

WHEREAS, the Parties desire to extend the Agreement to December 31, 2018.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the Parties hereby agree to amend the Agreement as follows:

1. Section 1.1 of the Agreement entitled "Term of Services" is hereby amended to extend the term from December 31, 2017, to December 31, 2018; and
2. Section 2 of the Agreement entitled "Compensation" is hereby amended to pay Consultant a sum not to exceed \$465,054; which is \$86,471 above the not to exceed amount in the Agreement; and
3. Exhibit A of the Agreement entitled "Scope of Services" is hereby amended to include task 4, as further provided below.
4. Exhibit B of the Agreement entitled "Compensation Schedule & Reimbursable Expenses" is hereby amended to read: "Amendment No. 1," and it shall replace in its entirety the Exhibit B that is in the Agreement.
5. All other terms of the Agreement shall remain in full force and effect.

This Amendment may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one agreement.

EXHIBIT A
SCOPE OF SERVICES

Task 4 –As-needed Additional Services - Project Closeout

Consultant shall continue to provide as-need assistance to the City to close-out the project. Consultant shall primarily assist City with closing out the open Contract Change Requests (CCRs) with the Contractor. Consultant shall prepare for and attend up to one PM level or Executive level CCR meeting every month (assumed 6 hours per month over 10 months for budgeting purposes).

Additionally, Consultant shall assist the City with contractor correspondence, punchlist items, warranty list items, pending electrical testing related items, etc. For budgeting purposes, an allowance of 100 hours has been included for this task.

Consultant and Construction Scheduling Experts (a subconsultant to Carollo) will assist the City by reviewing and responding to the Time Impact Analysis (TIA) submitted by the Contractor. For budgeting purposes, it is assumed that 9 TIAs will be reviewed (assumed 16 hours per TIA by the subconsultant and 10 hours per TIA by the Consultant for budgeting purposes). This includes one meeting per TIA with the City to discuss the TIA.

Consultant shall also prepare for and attend meetings with third-party CCR resolution team to settle CCRs. Consultant shall prepare for and attend pre-meetings with the City to prepare for the meeting with the third-party resolution team. For budgeting purposes it is assumed 1 CCR will be reviewed by the third-party CCR resolution team (assumed 8 hours per CCR for budgeting purposes).

SIGNATURES ON FOLLOWING PAGE


CITY OF SAN LEANDRO

CAROLLO ENGINEER, INC

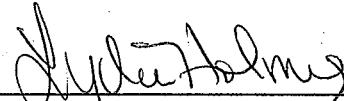
Chris Zapata, City Manager

Attest:

Tamika Greenwood, City Clerk



Rick L. Chan, Professional Engineer
Senior Vice President/Principal-in-charge



Lydia Holmes, Vice President

Approved as to Fiscal Authority:

David Baum, Finance Director

593-52-251-5120
Account Number

Approved as to Form:

Richard D. Pio Roda, City Attorney

Keith R. Cooke, Director
Engineering and Transportation Department

(2015)
2885429.1

EXHIBIT B

COMPENSATION AND REIMBURSEABLE EXPENSES

AMENDMENT NO. 1

Task	Other Direct Costs (ODC)										Total Cost				
	PIC	PM	PE	Struc	Elec	CAD	WP	Total Hours	Labor Cost	Subconsultants		PECE	Printing	Mileage	ODC Total
	\$258	\$235	\$217	\$258	\$258	\$157	\$99			Amount	Amount	Trips	Amount		
1 - 3 Existing Contract Signed September 19, 2016	0	158	0	0	100	0	0	258	\$62,930	CSE	\$1,800	\$0	\$1,187	\$23,541	
4.0 As-Needed Additional Services - Project Closeout	0	158	0	0	100	0	0	258	\$62,930		\$2,554			\$23,541	
Totals =	0	158	0	0	100	0	0	258	\$62,930		\$2,554	\$0	\$1,187	\$23,541	
														Totals =	\$378,583
															\$86,471
															\$465,054

Subconsultants: PECE: Project Equipment and Communication Expense
 CSE - Construction Scheduling Experts

- Legend:
- PIC Principal-in-Charge
 - PM Project Manager
 - PE Project Engineer
 - Stru Structural Engineer
 - Elec Electrical Engineer
 - CAD Cadd Drafter/Graphics
 - WP Word Processor