



## City of Sacramento City Council

915 I Street, Sacramento, CA, 95814  
[www.CityofSacramento.org](http://www.CityofSacramento.org)

**Meeting Date:** 3/6/2012

**Report Type:** Consent

**Title: Supplemental Agreement: Access Improvements from the Railyards to Richard Boulevard and Interstate 5 project (T15088300)**

**Report ID:** 2012-00125

**Location:** Richards Boulevard and Interstate 5, Bercut Drive and Jibboom Street located just north of Downtown, District 1 and 4

**Recommendation:** Pass a Motion: 1) authorizing the City Manager to execute Supplemental Agreement No. 2 to City Agreement No. 2011-0682 with Psomas Inc. in an amount not to exceed \$67,000 for the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300); and 2) ratifying Supplemental Agreement No. 1 to City Agreement No. 2011-0682 with Psomas Inc. and resetting the City Manager's authority to issue Supplemental Agreements for City Agreement No. 2011-0682.

**Contact:** Nader Kamal, Special Projects Engineer, (916) 808-7035; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Transportation

**Presenter:** None

**Department:** Transportation Department

**Division:** Civil & Electrical Design

**Dept ID:** 15001131

### Attachments:

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- 1- Description/Analysis
- 2 - Background Information
- 3 - Exhibit A - Location Map
- 4- Supplemental Agreement with Psomas

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### City Attorney Review

Approved as to Form  
Jerry Hicks  
2/23/2012 8:24:33 AM

### City Treasurer Review

Reviewed for Impact on Cash and Debt  
Russell Fehr  
2/14/2012 6:16:28 PM

### Approvals/Acknowledgements

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Department Director or Designee: Jerry Way - 2/21/2012 12:39:54 PM



## Description/Analysis

**Issue:** The Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300) will provide near-term circulation improvements and traffic congestion relief for the surrounding redevelopment areas.

Approval of Supplemental Agreement No. 2 with Psomas Inc. is necessary to provide inspection, materials testing, and construction management services during construction.

**Policy Considerations:** The action requested is consistent with City Code Title 3 and the City's Strategic Plan goals of promoting economic development, improving and expanding public safety, and achieving sustainability and enhancing livability.

### Environmental Considerations:

**California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA):** On December 15, 2009, the City Council approved the Environmental Impact Report in conformance with the California Environmental Quality Act.

The project is federally funded. As a result, it is also subject to the National Environmental Policy Act (NEPA). On January 1, 2010, the State Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) issued a Categorical Exclusion for the project pursuant to the requirements of NEPA.

**Sustainability Considerations:** The project will relieve traffic congestion at the I-5 offramps and Richards Boulevard underpass, and improve access to the Richards Boulevard and Railyards areas. The project will construct new sidewalks and bike lanes which will increase the use of alternate modes as a commuting option.

**Rationale for Recommendation:** Approval of Supplemental Agreement No. 2 with Psomas Inc. is necessary to provide inspection, materials testing, and construction management services, during construction.

**Other:** None.

**Commission/Committee Action:** None.

**Financial Considerations:** The current project budget is \$10,191,869 which consists of \$7,967,574 in federal funds and \$2,224,295 in local transportation funds.

As of February 2, 2012, the Access Improvements from the Railyards to Richards Boulevard and I-5 project (T15088300) has an unobligated balance of \$1,204,144 which is sufficient to execute the Supplemental Agreement No. 2 in the amount of \$67,000

with Psomas Inc. to cover remaining construction management costs.

There are no general funds planned or allocated for this project.

**Emerging Small Business Development (ESBD):** The Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300) has federal funding and requires conformance with project participation guidelines for Disadvantaged Business Enterprise (DBE)/ Underutilized Disadvantaged Business Enterprises (UDBE) program requirements, therefore, the ESBD requirements are held in abeyance. The UDBE goal for Psomas Inc. is 17.2%. Psomas Inc. will meet or exceed the UDBE goal by utilizing sub-consultants for inspection, materials testing, and biological surveys.



**Background Information:**

The goal of the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300) is to provide near-term circulation improvements and traffic congestion relief for the surrounding redevelopment areas. These improvements include extension of Bercut Drive from Richards Boulevard to Railyards Boulevard, widening Jibboom Street from Richards Boulevard to Railyards Boulevard, and improving the existing Richards Boulevard and Interstate 5 interchange to the maximum extent possible under the Caltrans encroachment permit process. The improvements at the interchange include widening the existing offramps and the Richards Boulevard underpass of Interstate 5.

On August 4, 2010, a Request for Proposals (RFP) was advertised for on-call construction management services. Sixteen proposals were submitted. The proposals were evaluated, and Psomas Inc. was one of five firms selected to provide services during the 2011 and 2012 calendar years. The Professional Services Agreement with Psomas Inc. augments City construction inspection staff by providing bridge inspections, office engineering, biological survey, and material testing to ensure compliance with all federal, -state and local requirements.

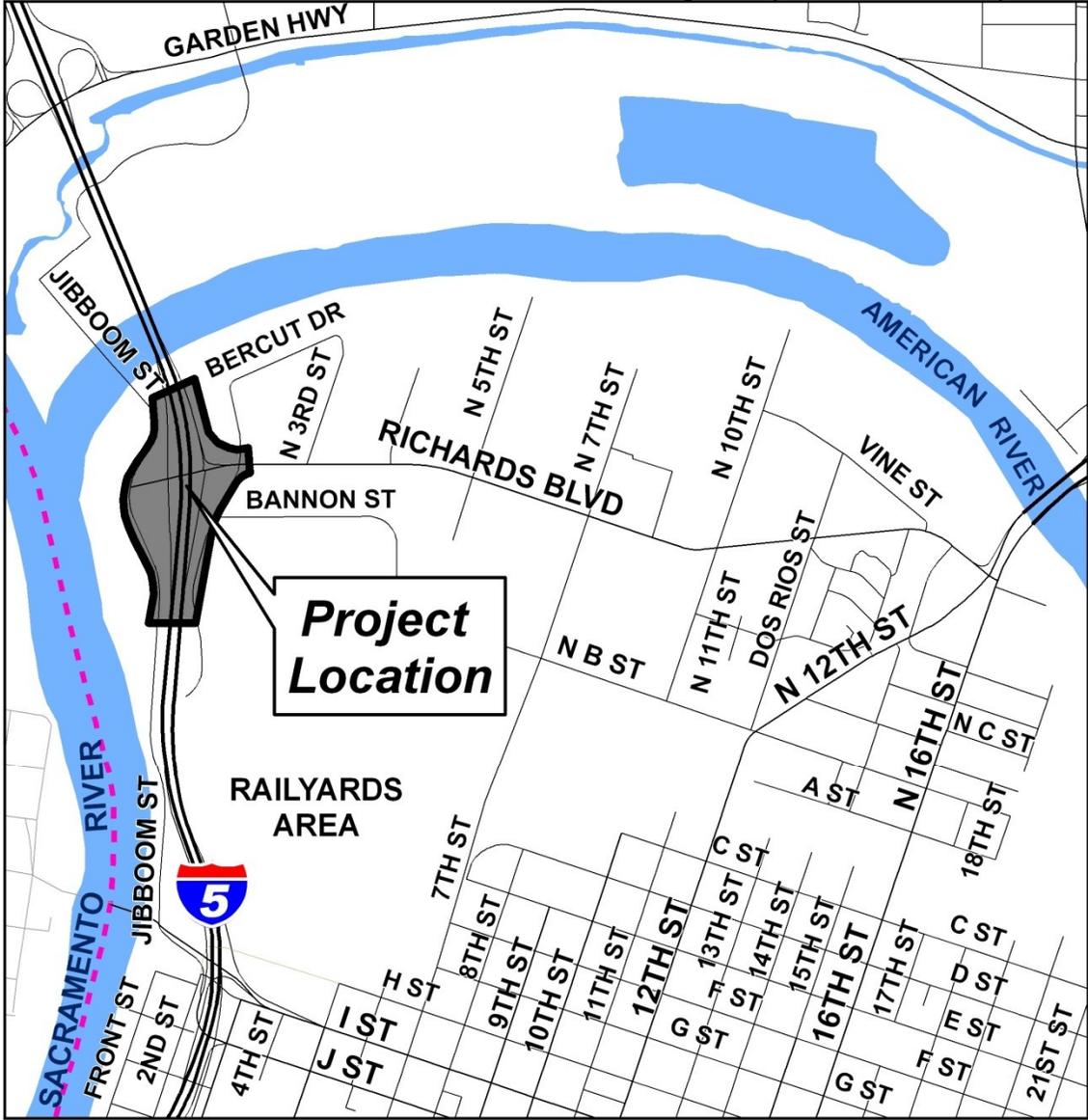
On May 31, 2011, the City Council approved a Professional Services Agreement with Psomas Inc. in the amount of \$350,000 to provide construction management, bridge inspection, biological survey, and material testing to ensure compliance with all federal, state and local requirements for the Access Improvements from the Railyards to Richards Boulevard and Interstate 5 Project (T15088300).

Supplement Agreement No. 1 with Psomas Inc. in the amount of \$33,000 compensated the consultant for additional support during construction.

Approval of Supplemental Agreement No. 2 with Psomas Inc. is necessary to provide inspection, materials testing, and construction management services during construction. The original scope of work in the amount of \$350,000 was estimated at the beginning of the project for minimal hours to assist the City. The actual remaining hours and cost has been calculated in order to complete the construction, material testing and federal closeout in the amount of \$67,000. Currently, the budget for the construction management services including both supplemental agreements is within budget.

EXHIBIT A

Location Map for  
Access Improvements from the Railyards  
to Richards Boulevard & I-5 Project (T15088300)





City of Sacramento  
**SUPPLEMENTAL AGREEMENT**

Contract #: 2011-0682-2

Date: 02/01/12

Purchase Order #: 0000013883

Supplemental Agreement #: 2

Job#: T15088300

Project Title: CM Services for Access Improvements for Railyards to Richards Blvd

The City of Sacramento ("City") and Psomas, ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2011-0682 including any and all prior supplemental agreements modifying said agreement (said agreement and supplemental agreements are hereby collectively referred to as the "Agreement"), hereby supplement and modify the Agreement as follows:

- 1. The Scope of Services specified in Exhibit A of the Agreement is amended as follows:

**See Exhibit A**

- 2. In consideration of the additional and/or revised services described in section 1, above, the maximum not-to-exceed amount that is specified in Exhibit B of the Agreement of Payment of Contractor's fees and expenses, is increased by \$67,000.00 and said maximum not-to-exceed amount is amended as follows:

The original not-to-exceed amount:	\$350,000.00
The net change by previous Supplemental Agreements:	\$33,000.00
The not-to-exceed amount prior to this Supplemental Agreements:	\$383,000.00
The contract sum will be increased by this Supplemental Agreement:	\$67,000.00
The new not-to-exceed amount including all Supplemental Agreements:	\$450,000.00

- 3. Contractor agrees that the amount of increase or decrease in the not-to-exceed amount specified in section 2, above, shall constitute full compensation for additional and/or revised services specified in section 1, above, and shall fully compensate Contractor for any and all direct and indirect costs that may be incurred by Contractor in connection with such additional and/or revised services, including costs associated with any changes in work schedules or in the performance of other services or work by Contractor. The time for the performance of the agreement is increased by 0 Days by reason of the performance of the work required by this Supplemental Agreement.
- 4. Contractor warrants and represents that the person or persons executing this supplemental agreement on behalf of Contractor has or have been duly authorized by Contractor to sign this supplemental agreement and bind Contractor to the terms hereof.
- 5. Except as specifically revised herein, all terms and conditions of the Agreement shall remain in full force and effect, and Contractor shall perform all the services, duties, obligations and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

Approval Recommended By:

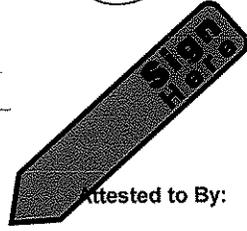
*Nader Kamal*  
Project Manager

Approved as to Form By:

*[Signature]*  
City Attorney

Approved By:

*[Signature]*  
Contractor



Approved By:

City of Sacramento

Attested to By:

City Clerk

# Exhibit A

## CM Services for Access Improvements for Railyards to Richards Blvd

2011-0682

02/01/12

<i>Description</i>	<i>Amount</i>
<b>Supplemental Agreement #2</b>	
PCO # 2.0 Client Initiated Changes	\$67,000.00
02/01/12 Suppelmental No.2 in the amount of \$67,000 to continue construction management services and to provide inspection, materials testing, and construction management services during construction.	
1 Items	Total for Change Order # 2
	\$67,000.00

1 Items	Total for Contract # 2011-0682	\$67,000.00
<i>Totals By Reason</i>	Changed/Unforeseen Conditions	\$0.00
	Changes to Bid Documents	\$0.00
	Client Initiated Changes	\$67,000.00

January 31, 2012

**City of Sacramento**  
**Department of Transportation**  
**Engineering Division**  
915 I Street, Room 2000  
Sacramento, CA 95814

ATTN: Nader Kamal

Subject: Request for Contract Amendment for the Richards Boulevard Improvements Project

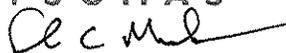
Dear Mr. Kamal:

As we have been discussing, the original contract amount for Construction Management Services provided by Psomas totaling \$350,000 has nearly been exhausted. Staffing has been proceeding as detailed in the original cost proposal, in which funds were expected to run out approximately during the month of February. Recently, the City prepared an amendment to provide an additional amount of \$33,000 to keep services active, while another amendment was analyzed and prepared to provide adequate funds to extend services to the end of the anticipated construction work. Psomas is hereby requesting that the City amend our Construction Management Services contract by an additional amount of \$67,000. This will allow for continued part-time structure representative support, as well as full time construction inspection/office engineer support.

With the current status of the relationship with the Contractor, Psomas feels it is very important that our contract be extended to provide support to the City Resident Engineer. I feel our involvement during the next few months would be critical in dealing with a Contractor who has recently become quite difficult, recently posting several requests for extra work that have necessitated a great deal of time and effort to assist the City's project management.

I can be reached on my cell phone at any time to discuss this matter, and should an amendment be possible, I will work with you to continue to maximize our efforts in the most cost effective manner possible.

Sincerely,

PSOMAS  


Frank C. Martin III, PE  
Project Manager/Structure Representative