Meeting Date: **11/12/2013**

Report Type: Consent

Report ID: 2013-00807

City of SACRAMENTO 07

City Council Report
915 I Street, 1st Floor
www.CityofSacramento.org

Title: 6th Street Extension Project at Sacramento Railyards (T15116200) – Approval of Supplemental Agreement No. 4 with Vali Cooper & Associates

Location: 6th Street, between H Street and the future Railyards Boulevard as shown on the attached location map, District 3

Issue: The construction management contract with Vali Cooper and Associates for the construction of the 6th Street Extension Project requires amendment for additional services. The City Code requires City Council approval of contract amendments greater than $100,000.

Recommendation: Pass a Motion 1) approving Supplemental Agreement No. 4 to City Agreement No. C2012-1014 with Vali Cooper & Associates in an amount not to exceed $133,000; and 2) resetting the City Manager's authority for the professional services contract with Vali Cooper & Associates.

Contact: Jon Blank, Supervising Engineer, (916) 808-7914; Nicholas Theocharides, Engineering Services Manager, (916) 808-5065, Department of Public Works

Presenter: None

Department: Public Works Department

Division: Construction Inspect & Survey

Dept ID: 15001141

Attachments:

1-Description/Analysis

2-Background

3-Location Map

4-Supplemental Agreement No. 4 - Vali Cooper

City Attorney Review

Approved as to Form
Michael Sparks
11/5/2013 11:20:12 AM

City Treasurer Review

Reviewed for Impact on Cash and Debt
Russell Fehr
10/29/2013 3:29:59 PM

Approvals/Acknowledgements

Department Director or Designee: Jerry Way - 11/1/2013 11:24:39 AM

James Sanchez, City Attorney Shirley Concolino, City Clerk Russell Fehr, City Treasurer
John F. Shirey, City Manager

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Description/Analysis

Issue: This supplemental agreement authorizes payment for construction management services related to resolving contractor claims, additional material testing services, additional utility coordination with SMUD, disposition of a buried underground tank, and the cost to utilize a different labor compliance tracking system.

Policy Considerations: The action requested herein is consistent with the City of Sacramento General Plan goals to improve system connectivity and promote economic and infill development. In addition, the City Code requires City Council approval of contract changes equal to or greater than $100,000.

Environmental Considerations:

California Environmental Quality Act (CEQA): The 6th Street Overcrossing Roadway Project (T15116200) (which includes both the bridge portion of the 6th Street Extension and overcrossing roadway portion) was subject to environmental review as part of the Railyards Specific Plan Environmental Impact Report (RSPEIR), which was certified on December 11, 2007. No new information or changed conditions require any supplemental environmental review for the proposed actions.

Sustainability Considerations: The 6th Street Overcrossing Roadway Project (T15116200) will provide access to the Railyards and promote smart growth, infill development, brownfield reuse, and transit-oriented development.

Other: None.

Commission/Committee Action: None.

Rationale for Recommendation: An increase in the Construction Management budget is needed to compensate Vali Cooper & Associates for additional work not provided for in the original budget. The project funding is sufficient to cover additional project expenses.

Financial Considerations: The estimated total project cost for the 6th Street Overcrossing Roadway Project (T15116200) is $15,620,624, consisting of state funds and developer contributions. To date $8,845,310 has been expended and staff anticipates an additional $6,775,314 is needed to complete the project, including Supplemental Agreement No. 4 with Vali Cooper & Associates in the amount of $133,000. As of October 22, 2013, there is a balance of $6,775,314 in the project budget which is sufficient to

cover the amount needed to complete the project and Supplemental Agreement No. 4 with Vali Cooper & Associates in the amount of $133,000.

Emerging and Small Business Enterprise (E/SBE): The 6th Street Overcrossing Roadway (T15116200) has State funding and requires conformance with project participation guidelines for the City of Sacramento E/SBE program. Vali Cooper & Associates has pledged a 20.57% E/SBE participation, which meets the E/SBE goal of 20%. As of August 2013, Vali Cooper has utilized 18.2% E/SBE participation, and is on target to meet its stated goal.

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Background

The extension of 6th Street from H Street north to the future Railyards Boulevard is an infrastructure improvement that will facilitate infill development of the Downtown Railyards. In December 2007, the City Council certified the Railyards Specific Plan Environmental Impact Report (RSPEIR) and approved the Railyards Specific Plan and development project, which included the 6th Street extension. The first phase of this extension, which included two bridge structures, was completed in 2011. In November 2012, the City Council approved the construction contract with O.C. Jones for the second phase of the extension of 6th Street, which includes the roadways to complete the connection of 6th Street from H Street to the future Railyards Boulevard.

Project Scope

The scope of the project includes: (1) construction of roadway, wet and dry utilities, embankment, and MSE retaining walls; (2) design, fabrication, and installation of a shade structure located on the 6th Street Overhead Bridge; and (3) construction of a drainage detention basin and associated drainage piping.

Construction

On November 6, 2012, the 6th Street Roadway construction contract was awarded to O.C. Jones & Sons as the lowest responsive and responsible bidder with a bid of $10,157,331. Construction is anticipated to be completed by March 2014.

Construction Management

A Request for Proposals (RFP) for construction management services for the Track Relocation Project, West Tunnel Ramp Project, and the 5th Street and 6th Street Bridges and roadways was issued in 2010; Vali Cooper was selected as the most qualified respondent.

A professional services contract was executed with Vali Cooper in the amount of $1,154,925 for the 6th Street Bridge Project. The first three supplements that provided for consultant staff changes totaling $7,209.81 were approved.

Supplement No. 1 increased the budget in the amount of $7,209.81 providing for Vali Copper to assume Earth Cam's contract and continue video recordings of the Railyards. Supplement No. 2 and No. 3 added staff billing

rates and corrected overtime billing rates for the geotechnical sub-consultant, Blackburn Consulting Services.

Supplement Agreement No. 4 provides additional budget for services beyond the original contemplated amount including resolving contractor claims, additional material testing, unforeseen utility coordination with SMUD, disposition of a buried underground tank, and the cost to utilize a different labor compliance tracking system. An increase in budget allows for continued construction management services to project completion and close out.

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EXHIBIT A

Location Map for
6TH STREET
AT SACRAMENTO RAILYARDS PROJECT
(T15116200)

Map Date: Nov/12; Map Contact: S. Tobin

0 500 1,000 2,000 Feet

Public Works
CITY OF SACRAMENTO

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City of Sacramento
SUPPLEMENTAL AGREEMENT

Contract #: **2012-1014-4**

Purchase Order #: **Supplemental Agreement #: 4**

Job#: **T15116200** Project Title: **CM Services for 6th Street as Sacramento Railyards**

The City of Sacramento ("City") and **Vali Cooper & Associates Inc**, **("Contractor")**, as parties to that certain Professional Services Agreement designated as Agreement Number **2012-1014** 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 $133,000.00 and said maximum not-to-exceed amount is amended as follows:

The original not-to-exceed amount:	$1,154,925.00
The net change by previous Supplemental Agreements:	$7,209.81
The not-to-exceed amount prior to this Supplemental Agreements:	$1,162,134.81
The contract sum will be increased by this Supplemental Agreement:	$133,000.00
The new not-to-exceed amount including all Supplemental Agreements:	$1,295,134.81

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 frepresents 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:

Project Manager

Approved as to Form By:

City Attorney

Approved By:

Contractor, C.O.O. 10-9-13

Approved By:

City of Sacramento Date

Attested to By:

City Clerk

(Rev. 07/16/08)

Exhibit A

CM Services for 6th Street as Sacramento Railyards

2012-1014

09/18/13

Description		*Amount*
Supplemental Agreement #4		
PCO # 5.0	**Changes to Bid Documents**	$133,000.00
09/18/13	Supplemental No. 4 increases the contract with ValiCooper & Asosociates in the amount of $133,000 to compensate for the additional hours of work not provided in the original contract. The detail are listed in Attachment 1 to Exhibit A.	
	1 **Items** **Total for Change Order #** **4**	**$133,000.00**

1 **Items**	**Total for Contract # 2012-1014**	**$133,000.00**
Totals By Reason	**Changed/Unforeseen Conditions**	**$0.00**
	Changes to Bid Documents	**$133,000.00**
	Client Initiated Changes	**$0.00**

Attachment 1 to Exhibit A

2012-1014-4 CM Services for 6th St as Sacramento Railyards

Compensation for the additional hours of work not provided for in the original contract as detailed below:

1. Responding to RFIs, notice of potential claims, and Claims Resolution (approximately 400 hours): $52, 000

2. Additional material testing of lightweight concrete and cylinder breaks (originally set for once per day: changed to every hour during pour): $40,000

3. Additional utility coordination due to SMUD encroachment permits coordination (60 hours @150/hour): $9,000

4. Additional environment coordination due to buried UST (and beyond the tank pull contract) and associated well abandonment 100 hours @$160/hour: $16,000

5. Additional 100 hours labor compliance coordination due to changing of system from LCP to CMU (100 hours@ $110/hour): $11,000

6. Overtime inspection during lightweight concrete pours (2 hours per day): $5,000

Total additional costs estimated: $133,000

Total Cost by Additional Hours:

Name	Original hours	Add'l Hours	Original cost	Add'l Cost	Revised Cost
H. Doll	650	41.36	$120,250	$7,652	$127,902
J. Zermeno	1185	90	$154,050	$11,700	$165,750
R. M. de Oca	1190	125	$154,700	$16,250	$170,950
S. Tuthill	2040	125	$265,200	$16,250	$281,450
Mat Test			$150,000	$40,000	$190,000
M. White	120	60	$18,000	$9,000	$27,000
E. Rashmawi	531	100	$85,000	$16,000	$101,000
Lab. Compl	273	100	$30,000	$11,000	$41,000
Inspector OT	0	33	$0	$5,148	$5,148
		Total =		$133,000	