

Meeting Date: 6/23/2015

Report Type: Consent

Report ID: 2015-00572

Title: Supplemental Agreement No. 2 Contract 2014-0321 (Landscape Architecture Design Services) L19167200

Location: District 3

Recommendation: Pass a Motion authorizing the City Manager, or City Manager's designee, to enter into a Supplemental Agreement No. 2 for landscape architecture design services with H.T. Harvey and Associates for the American River Parkway Enhancements at Sutter's Landing Park project (L19167200) in an amount not to exceed \$66,284.

Contact: C. Gary Hyden, Supervising Landscape Architect, 916-808-1949, Department of Parks and Recreation

Presenter: None

Department: Parks & Recreation Department

Division: Park Development Services

Dept ID: 19001121

Attachments:

- 1-Description/Analysis
- 2-Background
- 3-SLP-Site Location Map
- 4-SLP ARPE Bike Trail PIn Revised
- 5-Contract SA#2

City Attorney Review

Approved as to Form
Sheryl Patterson
6/12/2015 1:02:41 PM

Approvals/Acknowledgements

Department Director or Designee: Jim Combs - 6/4/2015 5:38:11 PM

Description/Analysis

Issue Detail: The City was recently awarded a grant from the State of California Proposition 84 California River Parkways Grant Program for the development of the Sutter's Landing Park American River Parkway Enhancements.

Due to the specialized nature of the work funded by this grant, i.e. riparian habitat enhancement and site improvements on an existing levee and existing landfill, the City's Department of Parks and Recreation (DPR) entered into a professional services agreement, in the amount of \$232,340, with H.T. Harvey and Associates to provide design, agency processing, construction document, and construction administration assistance services for the Sutter's Landing Park American River Parkway Enhancement project (L19167200) contract 2014-0321.

During the design review process, the American River Flood Control District (ARFCD) rejected the proposed levee top alignment for the multi-use trail and required the trail to be developed using a lower alignment along the toe of the levee. Supplemental Agreement #1 to contract 2014-032, in the amount of \$24,284, was authorized to determine additional permitting and construction costs required by a lower alignment.

On May 5, 2015, a First Amendment to Operation and Maintenance Agreement for Two Rivers Trail - Phase II was entered into between the City and the ARFCD, as this project is an extension of Two Rivers Trail. The Amendment defines the requirements necessary to construct the trail at the lower alignment along the water side of the levee toe rather than the original alignment on the levee crown. Under this Amendment, the ARFCD will design and construct a service road along the lower alignment and the City will be permitted to pave the service road to create the multi-use trail. The respective maintenance responsibilities are set out in the Operation and Maintenance Agreement that was approved by the City Council.

This Supplemental Agreement # 2 in the amount of \$66,284, is for H.T. Harvey and Associates to provide additional design and permitting services tasks required for the development of the multi-use trail on the ARFCD's lower service road alignment.

Policy Considerations: This action is consistent with Sacramento City Code Chapter 3.64 and complies with existing policies regarding professional service agreements and Administrative Policy AP-4102.

Economic Impacts: Not Applicable.

Environmental Considerations:

California Environmental Quality Act (CEQA):

This report concerns administrative activities that is exempt from environmental review under Section 15378(b)(2) of the CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.). The ARFCD is responsible for complying with CEQA to build its new service road.

Sustainability: Not Applicable.

Commission/Committee Action: Not Applicable.

Rationale for Recommendation: H.T. Harvey and Associates was selected as the consultant for the Sutter's Landing Park American River Parkway Enhancement project (L19167200) based on the specifics of their proposal, as well as their qualifications and previous experience with City habitat enhancement projects. They are conversant with the design and agency approvals and permits process for this project, and the City's required methods to accomplish the work. Given that they are the prime consultant for the project, assigning the additional design and permitting services tasks to H.T. Harvey and Associates is the best choice for moving the project forward.

Financial Considerations: There are sufficient funds in L19167200 for the recommended Supplemental Agreement No.2 to Contract 2014-0321.

Local Business Enterprise (LBE): H.T. Harvey and Associates is not a local business.

Background:

The project at Sutter's Landing Park includes development of a two-third mile multi-use trail with interpretive signage to enhance public use along the American River Parkway as an extension of the Two Rivers Trail. A gateway at Sutter's Landing Park with significant entry improvements will also be developed. In addition restoration of over three acres on the south bank of the American River with native understory vegetation is also part of this project. The proposed multi-use trail and open spaces of the project can be accessed from the parking lot and gateway at Sutter's Landing Park. The improvements will include the following:

- Construction of two-third mile multi-use trail using rubberized asphaltic concrete on the gravel service road at the toe of the levee.
- Restoration of approximately three acres of habitat on the south bank of the American River. The restoration component of the project is designed to be self-sustaining and should be well established after 2.5 years.
- Planting of approximately four thousand (4,000) one (1) gallon native understory plants.
- Installation of approximately ten (10) interpretive signs.
- Installation of two (2) benches (ADA compliant).
- Gateway Entry Improvements
 - This portion of the project will be constructed to a closed landfill.
 - Installation of site furniture and hardscape at trailhead entry.
 - Planters with irrigation.
 - Special paving at trailhead entry.
 - Information and interpretive signage.



City of Sacramento Department of Parks and Recreation Site Location Map

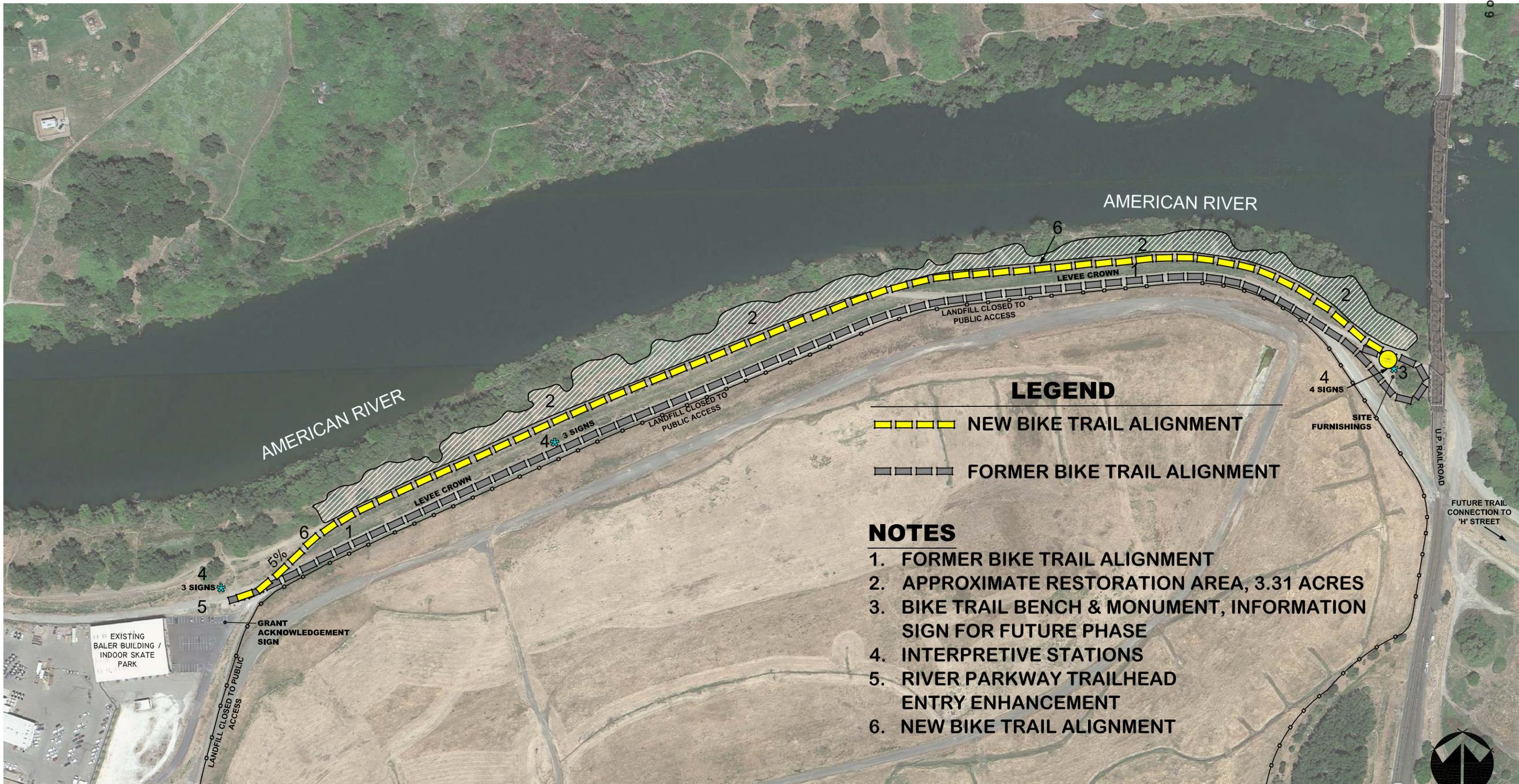
Attachment A



Legend

- City Boundary
- PARKS
 - EXISTING
 - EXISTING UNDEVELOPED
 - PROPOSED
- GOLF COURSE
- NON CITY PARK
- OPEN SPACE
- PARKWAY
- SCHOOL PARK





SUTTER'S LANDING PARK





Requires Council Approval: No **YES** Meeting: **6-23-15**

Real Estate Other Party Signature Needed Recording Requested

General Information

Type: Public Project PO Type: Formal Bid-Prof Service		Attachment: Supplement No.: 2
\$ Not to Exceed: \$ 66,284.00		Original Doc Number: 2014-0321
Other Party: H.T. HARVEY and ASSOCIATES		Certified Copies of Document::
Project Name: Sutter's Landing Park-American River Parkway Enhancements		Deed: <input type="checkbox"/> None <input type="checkbox"/> Included <input type="checkbox"/> Separate
Project Number: L19167200	Bid Transaction #: P14190021006	LBE: 5%

Department Information

Department: **Parks and Recreation** Division: **PPDS**
 Project Mgr: **TIN-WAH WONG** Supervisor: **Gary Hyden**
 Contract Services: **Tim Hopper** Date: **6-12-15** Division Mgr:
 PM Phone Number: **808-5540** Org Number: **19001121**

Comment:

Review and Signature Routing

Department	Signature or Initial	Date
Project Mgr:	TH FOR TWW <i>TH</i>	6-12-15
Accounting:	Sonja Jarvis	
Contract Services:	Tim Hopper <i>TH</i>	6-12-15
Supervisor:	Gary Hyden	
Division Manager:	NA	
City Attorney	Signature or Initial	Date
City Attorney:	Sheryl Patterson	

Call Tim Hopper x8173 Notify for Pick Up

Authorization	Signature or Initial	Date
Combs, James Department Director:		
City Mgr: yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		

Contract Cover/Routing Form: Must Accompany ALL Contracts;
 however, is not part of the contract. (01-01-09)

For City Clerk Processing

Finalized:
 Initial:
 Date:

Imaged:
 Initial:
 Date:

Received:
 (City Clerk Stamp Here)

SUPPLEMENTAL AGREEMENT- CITY MANAGER APPROVAL

Project Title and Job Number: Sutter's Landing Park-American River Parkway Enhancements, L19-1672-00 Date: 5-21-15

Purchase Order #: 23827

Supplemental Agreement No.:2

The City of Sacramento ("City") and H.T. Harvey and Associates, "Contractor", as parties to that certain Professional Services Agreement designated as Agreement Number C2014-0321, including any and all prior supplemental agreements modifying said agreement (said agreement and supplemental agreements are hereafter 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:
Additional professional design services related to the lower alignment work including permit application revisions, design revisions, and additional bid and construction support for the Sutter's Landing Park-American River Parkway Enhancements project.

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 for payment of Contractor's fees and expenses, is increased by \$66,284.00, and said maximum not-to-exceed amount is amended as follows:

Table with 2 columns: Description and Amount. Rows include Agreement's original not-to-exceed amount (\$ 232,340.00), Net change by previous supplemental agreements (\$ 24,983.00), Not-to-exceed amount prior to this supplemental agreement (\$ 257,323.00), Increase by this supplemental agreement (\$ 66,284.00), and New not-to exceed amount including all supplemental agreements (\$ 323,607.00).

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 the 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 and/or delays in work schedules or in the performance of other services or work by Contractor .

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 of the services, duties, obligations, and conditions required under the Agreement, as supplemented and modified by this supplemental agreement.

Approval Recommended By:

Approved As To Form By:

Signature of Project Manager and Date 6/2/15

Senior Deputy City Attorney

Approved By:

Attested To By:

Signature of Contractor Name/Title and Date 6/9/15

City Clerk

SUPPLEMENTAL AGREEMENT- CITY MANAGER APPROVAL

Approved By:

James L. Combs, Director, DPR, FOR
John F. Shirey, City Manager

EXHIBIT A

American River Parkway Enhancements at Sutter's Landing Park Addendum #5 to Scope of Services

H. T. Harvey & Associates (HTH) is pleased to submit this addendum to our existing contract for the American River Parkway Enhancements at Sutter's Landing Park. This addendum covers additional design and permitting services tasks requested by the City of Sacramento (City). The permitting scope assumes that the City will file a Notice of Exemption for CEQA compliance and that the project will not require a mitigated negative declaration..

Additional services tasks described below are required following a Memorandum of Understanding (MOU) established between the City and the American River Flood Control District (ARFCD) to construct the trail at the lower alignment along the water side of the levee toe rather than the original alignment on the levee crown. This addendum, based on the MOU, assumes that the ARFCD will design and install a service road and the City will pave this road to create the multi-use trail.

Additional services are based on the attached schedule, and include the following:

- Task 5 Assist City with Agency Reviews, Approvals and Permits
- Task 6 Prepare and Submit 75% Complete Construction Document Package
- Task 8 Prepare and Submit 100% Complete Construction Document Package
- Task 10 Assistance with Bidding and Contract Award
- Task 11 Assistance with Construction Administration

Please let us know if you have any questions or suggested changes. Our proposal is a firm offer for a 60-day period.

Task 5 Assist City with Agency Reviews, Approvals and Permits – Additional Services

In February 2015 HTH prepared permit applications for the California Department of Fish and Wildlife (CDFW) and the Central Valley Flood Protection Board (CVFPB) based on the trail's original upper alignment. These permit application materials (forms, project description, figures, and photos) were not submitted and will need to be revised to describe the trail on the ARFCD's lower service road alignment. This task includes revision and submittal of the CDFW and CVFPB permit applications as described.

This task also includes additional coordination with the US Fish and Wildlife Service (USFWS) regarding the lower alignment trail paving and additional coordination with all agencies to expedite their review of the application materials and issue their permits by the end of July.

We have assumed a moderate level of support. If the task requires work beyond the hours shown on the attached fee estimate, additional fee may be required.

Assumptions

- The City will prepare the Notice of Exemption and file it with the State Clearinghouse and County Clerk by 30 May to allow for submittal of permit applications to the state agencies by 1 June 2015.
- The City will coordinate with the ARFCD to endorse the CVFPB permit application.

EXHIBIT A

- The City will pay the CDFW application fee.

Deliverables

- Revised CDFW and CVFPB permit applications.

Task 6 Prepare and Submit 75%* Complete Construction Document Package – Additional Services

(*Note the original RFP Task 6 stated 75% construction documents, but HTH and the City revised this to a 65% submittal following the 35% design in December 2014)

Regulatory agency permit applications have not been submitted due to the uncertainty of the trail's alignment. With this design issue now resolved HTH, will revise the 65% drawings and cost estimate by the end of May so permit applications can be submitted on 1 June. Note that because this revision has such a tight timeline, and is focused solely on the regulatory agency permit applications, the specifications and other design comments provided on the original 65% design will be addressed for the 100% construction documents described in Task 8 below.

This task was described in Task 6 of the original scope and will be modified to reflect the City's MOU with the ARFCD. Based on the ARFCD's lower service road AutoCAD drawings, HTH will revise the 65% drawings and cost estimate to:

- pave the ARFCD's lower service road alignment (this will include revised plan sheet layouts and additional sheets related to stormwater pollution prevention)
- include the extents of existing riparian vegetation and locations of existing elderberry shrubs (data collected by HTH in March 2015)
- include construction impact avoidance measures related to the lower alignment, including ESA and wildlife exclusion fencing limits, tree protection measures, and restoration/seeding of temporarily impacted areas

In addition, during the preparation of the revised 65% complete construction documents, HTH will coordinate with the City and ARFCD regarding the revised design, including but not limited to:

- The "as-built" condition of their lower alignment service road: Based on the MOU, the ARFCD is to place one-half of the required aggregate base and the City is to place the remaining required aggregate base prior to placing the asphalt paving. We will coordinate to ensure that the overall aggregate base alignment and depth meet the design parameters described in the original geotechnical investigation prepared by Langen Treadwell Rollo in June 2014.
- Kinder Morgan gas line: We will coordinate with the City and ARFCD to determine the level of verification (potholing) required for the City's paving work and to determine if any construction contract provisions apply.
- Landfill gas probe #9: This probe is located mid-slope adjacent to the new ARFCD service road ramp leading to the lower alignment. We will coordinate with the City and the ARFCD to determine if the City's paving work will impact the gas probe.

Following submittal of the revised 65% drawings and cost estimate, the City project management team (Gary Hyden and Tin-Wah Wong) will review the materials and provide comments and approval to submit the drawings in the permit application packages for CDFW, CVFPB, and USFWS. Comments are assumed to be

EXHIBIT A

minor, as our revision will be based almost entirely on the ARFCD service road drawings. HTH will incorporate minor comments prior to submitting the revised 65% drawings to the regulatory agencies.

Assumptions

- As described above

Deliverables

- Revised 65% drawings (with revised and additional sheets) and opinion of estimated construction cost for regulatory agency permit applications

Task 8 Prepare and Submit 100% Complete Construction Document Package – Additional Services

This task was described in Task 8 of the original scope and will be modified to include project elements related to paving the ARFCD lower service road alignment. HTH will prepare 100% Complete Construction Documents to:

- incorporate the City's comments on the original 65% Complete Construction Documents (submitted February 2015) and on the revised 65% Complete Construction Documents described in Task 6 above.
- incorporate a topographic survey of the ARFCD lower service road as-built (provided by City). The purpose of this survey is to confirm that paving the service road will result in a trail that meets the requirements of the ADA and to confirm the City paving contractor's level of effort.
- incorporate special provisions related to the lower alignment (storm water BMPs, environmental contract items, Kinder Morgan equipment restrictions, inspection information, and insurance requirements).
- explore the possibility of shifting the "trail node" (originally designed at the terminus of the upper alignment) to the lower alignment based on the ARFCD service road design and on opportunities / constraints related to existing riparian vegetation.
- confirm the location, design, and content of the interpretive program element originally located at the upper alignment "trail node."

Deliverables

- As stated in the original scope, with revised/additional sheets and special provisions as described above

Task 10 Assistance with Bidding and Contract Award – Additional Services

HTH will provide additional bid period services during the project advertisement period to accommodate the increased complexity of the project design and regulatory context related to the lower alignment. This work includes responding to contractor questions, preparing addenda, and issuing clarifications as needed.

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We have assumed a moderate level of support. If the task requires work beyond the hours shown on the attached fee estimate, additional fee may be required.

Task 11 Assistance with Construction Administration – Additional Services

HTH will provide assistance with construction administration as described in Task 11 of the original contract. Additional construction support effort is anticipated because of the increased complexity of the lower trail alignment construction and regulatory context. To accommodate this we have included a moderate increase in construction support to assist the City in tracking compliance with the project design, engineering and permit documents. If the task requires work beyond the hours shown on the attached fee estimate, additional fee may be required.

Project Name: American River Parkway Enhancements at Sutter's Landing Park -- Addendum 5 Additional Services
 Project Number: 3325-02
 Date: 12 May 2015

Task budgets highlighted in yellow are additional to the original budget

Staff Time Estimates

Task	Personnel Hours by Task										HTH Cost by Task	HTH Direct Expenses	Mark Thomas & Company	M. Neils Engineering	MIG Inc	Total Project Cost	
	Joe Howard Principal, Landscape Architect \$ 215.00	Debra Bishop Senior Associate Restoration Ecologist \$ 215.00	Laurel Kelly Landscape Architect \$ 163.00	Karen Verpeet Landscape Architect \$ 163.00	Carrie Jensen Restoration Landscape Designer \$ 132.00	Sarah Von Lehman Restoration Landscape Designer \$ 100.00	Graphic/GIS \$ 105	Support \$ 80									
Design Development (lump sum)																	
1 Start-up Meeting																	
2 Preliminary Design Concept (including Review Meeting)																	
3 Design Development Package																	
4 Design Development Review Meeting*																	
5 Assist City with Agency Reviews, Approvals & Permits (lump sum)	1	16	10	10	2	2	4	5,805	\$	\$	\$	\$	\$	\$	\$	\$	5,805
75% Complete Construction Documents (lump sum)																	
6 Prepare & Submit 75% Complete Construction Document Package	2		8	8	32	32	2	10,622	\$	\$	\$	\$	\$	\$	\$	\$	22,687
75% Construction Documents Complete Review Meeting																	
100% Complete Construction Documents (lump sum)																	
8 Prepare & Submit 100% Complete Construction Document	2		16	8	32	40	2	12,726	\$	\$	\$	\$	\$	\$	\$	\$	30,643
100% Construction Documents Complete Review Meeting*																	
Bidding & Contract Award (lump sum)																	
10 Assistance with Bidding and Contract Award	1		2	2	2	2	2	1,027	\$	\$	\$	\$	\$	\$	\$	\$	2,017
Construction Administration (not to exceed)																	
11 Assistance with Construction Administration	1		2	2	6	2	2	1,819	\$	\$	\$	\$	\$	\$	\$	\$	5,132
Expansion of Existing Tasks (allowance revised)																	
12																	
Total Labor Hours	7	16	28	30	70	74	12	Total Costs	\$0	\$31,168	\$0	\$0	\$0	\$0	\$0	\$0	\$66,284
TOTAL COST	\$ 1,505	\$ 3,440	\$ 4,564	\$ 4,890	\$ 9,240	\$ 7,400	\$ 960	\$31,999	\$0	\$34,285	\$0	\$0	\$0	\$0	\$0	\$0	\$66,284

