

Meeting Date: 8/4/2016

Report Type: Consent

Report ID: 2016-00667

Title: Contract: Supplemental Agreement for Cordova Creek Support Services

Location: Citywide

Recommendation: Pass a Motion authorizing the City Manager, or his designee, to sign Supplemental Agreement 4 to Agreement No. 2014-0173 with cbec, Inc., eco-engineering, in the amount of \$32,642, for work associated with the American River Parkway Cordova Creek Naturalization project being administered by the City-County Office of Metropolitan Water Planning, increasing the agreement's not-to-exceed amount to \$123,883.

Contact: Tom Gohring, Executive Director, (916) 808-1998, Citywide and Community Support, Sacramento City-County Office of Metropolitan Water Planning

Presenter: None

Department: Community Support

Division: CCOMWP

Dept ID: 80004101

Attachments:

1-Description/Analysis

2-Background

3-Cordova Creek Supplemental

City Attorney Review

Approved as to Form

Joe Robinson

7/21/2016 3:25:29 PM

Approvals/Acknowledgements

Department Director or Designee: Tom Gohring - 7/20/2016 1:12:55 PM

Description/Analysis

Issue Detail: In September 2014, the City entered into Professional Services Agreement #2014-0173 with cbec,inc., eco-engineering (cbec) for a not-to-exceed amount of \$28,000. This agreement provided support services including preliminary design and construction inspection to the Cordova Creek Naturalization Project (Project). Two additional supplemental agreements totaling \$63,241 were approved since the initial agreement was signed. Staff is requesting City Council approval of a supplemental agreement for an amount non-to-exceed \$32,642, to support completion of the Project by June 2017. The proposed additional services include:

- Construction observation, responding to requests for information, reviewing product submittals, coordinating with Sacramento County and the contractor, attending weekly construction meetings and performing field visits to inspect design features during construction.
- Coordinate with County engineering and permitting staff and subcontractor to facilitate work of the subcontractor.

Policy Considerations: This Project will restore a channelized stream in the American River Parkway to its natural form and function, consistent with goals of the Water Forum Agreement, the 2008 American River Parkway Plan (ARPP), and the 2002 River Corridor Management Plan (RCMP). City Council approval is required for supplemental agreements that increase the contract amount to \$100,000 or more.

Economic Impacts: None.

Environmental Considerations:

California Environmental Quality Act (CEQA): The Project is subject to review pursuant to CEQA. Sacramento County is the Project's lead agency under CEQA. Sacramento County prepared and circulated a negative declaration for this project that was approved on January 14, 2014. No additional environmental review is required.

Sustainability: Implementation of the Project is consistent with the City's Sustainability Master Plan Goals:

Sustainability Goal No. 7 – Parks, Open Space, and Habitat Conservation are promoted by the second co-equal objective of the Water Forum Agreement, "To preserve the fishery, wildlife, recreational, and aesthetic values of the lower American River."

Commission/Committee Action: None.

Rationale for Recommendation: The Project management team, which is led by Sacramento County, has asked cbec to continue providing its Project support services through June 30, 2017. cbec was originally selected as the result of an August 2013 Request for Qualifications (RFQ) Process (RFQ3804101001). cbec possesses an exceptional knowledge of the subject and has compiled extensive data regarding this Project that would be extremely difficult to find in another vendor. Approval of this contract with cbec will provide construction support, coordination, project management, and biological monitoring of the Project site. CCOMWP and Sacramento County staff worked with cbec staff to achieve the most cost-effective scope and budget for the contract, based on funding priorities.

Financial Considerations: Approval of the proposed supplemental agreement has no impact on the City's General Fund. The proposed supplemental agreement is for a total not-to-exceed of \$32,642. Sufficient funds were budgeted in the CCOMWP budget to cover this additional not-to-exceed amount of \$32,642.

Local Business Enterprise (LBE): cbec is not an LBE. The minimum LBE participation requirement did not apply as the original professional service agreement was for an amount less than \$100,000.

Background Information:

The Cordova Creek Naturalization Project is identified in the 2008 American River Parkway Plan (ARPP) and the 2002 River Corridor Management Plan (RCMP). The RCMP River Bend Park Area Plan calls for restoration of Cordova Creek to create a riparian corridor that will filter urban runoff and serve as a buffer between nature study area to the west and limited and developed recreational uses to the east. It also calls for bringing together native plant nursery, organic farming operation and riparian habitat to enhance interpretation opportunities.

In 2006 Sacramento County Regional Parks collected hydrologic, surface soil and topographic information along Clifton's Drain as a foundation for a future project. Later that year, the Water Forum, at the request of County Parks completed mapping of surface soils and subsurface size classes at Clifton's Drain.

In 2010 the State of California awarded a grant to Sacramento County under the River Parkways Grant Program for completion of the project. Approximately \$200,000 is available for this portion of the project.

The Sacramento County Water Agency and Sacramento County Regional Parks will manage the project. The County has asked the CCOMWP, on behalf of the Sacramento Water Forum, to contract for and administer the professional service agreements necessary to design the Project and prepare a design report to be used in preparation of construction documents by the County.

The County will bid, award and administer the contract(s) necessary to construct the Project, and County will be solely responsible for obtaining all necessary permits and approvals for Project construction and for overseeing and inspecting construction of the Project.

The County will also be responsible for the interpretive component of the project.

The City of Rancho Cordova, the Water Forum and the Sacramento Area Flood Control Agency (SAFCA) will provide technical input into project design. Soil Born Farms, a non-profit with a 25-acre demonstration organic farm next to the project site, and the California Native Plant Society (CNPS), which operates a native plant nursery adjacent to the project site, are also project partners. Soil Born Farms will provide volunteer labor plantings and CNPS will propagate 1,000 native plants for the project.

SUPPLEMENTAL AGREEMENT

Project Title and Job Number: Cordova Creek Support Services

Date: 5/10/2016

Purchase Order #: 30052

Supplemental Agreement No.: 4

The City of Sacramento ("City") and cbec, inc., eco-engineering ("Contractor"), as parties to that certain Professional Services Agreement designated as Agreement Number 2014-0173, including any and all prior supplemental agreements modifying the agreement (the 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:

Contractor shall provide additional services as set forth in Exhibit A and B of this Supplemental Agreement.

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 32,642, and the Agreement's maximum not-to-exceed amount is amended as follows:

Agreement's original not-to-exceed amount:	<u>28,000</u>
Net change by previous supplemental agreements:	<u>63,200</u>
Not-to-exceed amount prior to this supplemental agreement:	<u>91,241</u>
Increase by this supplemental agreement:	<u>32,642</u>
New not-to exceed amount including all supplemental agreements:	<u>123,883</u>

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:

Project Manager

City Attorney

Approved By:

Contractor

Attested To By:

Approved By:

City of Sacramento

City Clerk



Project:	14-1002 – Cordova Creek Support Services
Subject:	Scope of Services – 2016 Construction Support

Introduction

cbec eco engineering (cbec) has been requested by Tom Gohring, The Water Forum, to provide continued construction support services during Phase 2 of the Cordova Creek Naturalization Project. The project construction was split into two seasons and the 2016 construction season is Phase 2. Unanticipated levels of involvement in Phase 1 depleted the cbec team's funds and more funds are necessary to support the level of involvement that The Water Forum desires for Phase 2. Under this augmentation, cbec will continue provide construction support. Similar to Phase 1, the County is understaffed to perform all of the required field biological services and requires assistance. Under this augmentation to our existing contract, AECOM will augment the County's biological monitoring services as needed and will continue to provide construction support services, as well.

cbec will be responsible for the following:

1. Construction observation, responding to RFIs, reviewing product submittals, coordinating with the County and contractor, attending weekly construction meetings and performing field visits to inspect design features during construction.
2. Coordinate with County engineering and permitting staff and subcontractor to facilitate work of the subcontractor.

AECOM will be responsible for the following:

1. Biological monitoring and rare plant handling oversight.
2. Construction observation, responding to RFIs, reviewing product submittals and performing field visits to inspect products, plant layout and installation.

Task 9 – Construction Support 2016

cbec and subconsultant AECOM will provide support to the County during construction, including, but not limited to:

- Responding to RFIs.
- Reviewing product submittals.

- Reviewing contractor plans and "shop drawings."
- Performing construction observation prior to, during, or after installation (as appropriate) of key design features. We will prepare brief memoranda documenting our findings, recommendations, or requests to the County and/or contractor in the case that such documentation is warranted.
- Attending weekly construction meetings on the site – one cbec staff for up to 1 hour plus travel. 28 meetings total.

Assumptions:

- Construction meetings and support associated with the overall project (including planting) are tentatively scheduled to end in August, 2016. However, per our recommendation, we anticipate the County will request that the planting schedule be delayed to promote plant success. We have allowed for construction support through February, 2017, similar to the schedule followed in Phase 1 construction.
- Construction meeting schedule is anticipated to be weekly through September, biweekly from October through November.
- Product submittals and RFIs will be provided in PDF format and our comments and responses will be in the form of PDF mark-ups.

Deliverables: Project correspondence, including construction observation memoranda in PDF format, responses to RFIs in PDF format, product submittal reviews with comments in PDF format, plan reviews and comments in PDF format.

Task 10 – Additional Coordination and Team Meetings 2016

Up to 2 cbec staff will attend up to 18 bi-weekly team coordination meetings of up to one hour duration. We will type brief and informal notes and will distribute to the team following each meeting.

Assumptions:

- Meetings will be by teleconference.
- Meeting schedule will reduce to monthly in December, 2016 and January, 2017. No meetings after January, 2017.

Deliverables: Informal meeting notes in a Word document.

Task 11 – Additional Project Management

cbec will manage day-to-day project task coordination and provide monthly invoices. We will assist in coordination of subcontractor efforts and will review and submit subcontractor invoices.

Assumptions:

- We have allowed for project activity continuing through February, 2017, similar to the construction schedule followed in Phase 1 construction.

Deliverables: Monthly invoicing.

Task 12 – Biological Monitoring 2016

cbec will support the work of the contractor by providing necessary mapping and coordinating with the County and Contractor to provide access to the site for subcontractor AECOM to perform the work. We will review daily construction logs submitted by subcontractor AECOM. Subconsultant AECOM will perform biological monitoring during construction as requested by the County, including:

- Identify and flag Valley Elderberry shrubs that should be fenced.
- Provide Valley Elderberry Longhorn Beetle (VELB) worker awareness follow on training.
- Biological monitoring of clearing and grubbing activities.
- Review Sanford's Arrowhead transplanting activities.

Assumptions:

- Biological monitoring work will last approximately 3 weeks during the clearing and grubbing phase at the beginning of construction. Shifts will last 10 hours and an additional hour for driving per day will be added. One biologist will be on site at all times during this phase.
- Updated Sanford's arrowhead guidelines will be provided to subconsultant AECOM by the County before the transplanting work starts.

Deliverables:

- No cbec deliverables.
- AECOM deliverables:
 - A detailed check list of biological resources and related items to monitor for and develop a format of Monitoring Log that will capture these requirements.
 - Perform all-day monitoring, as requested by the County.
 - Monitoring Report with daily monitoring logs and field marked-up map with field notes and photographs of work around sensitive biological resources.

Budget

A budget summary is shown below and a detailed budget follows.

ESTIMATED TASK BUDGET SUMMARY

Cordova Support Services

cbec Project # 14-1002

Task #		
9 – Construction Support 2016	\$	9,530
10 – Additional Coordination and Team Meetings 2016	\$	7,785
11 – Additional Project Management 2016	\$	3,680
12 – Biological Monitoring 2016	\$	2,260
Reimbursables	\$	747
Subconsultant	\$	8,640
TOTAL	\$	32,642

Schedule

Task 9

Task 9 will begin in April, 2016 and will extend through June 30, 2017.

Task 10

Task 10 will begin in April, 2016 and will extend through January, 2017.

Task 11

Task 11 will begin in April, 2016 and will extend through June 30, 2017.

Task 12

Task 9 will begin in April, 2016 and will extend through the clearing and grubbing phase of construction, estimated at 3 weeks. It will recommence during Sanford's Arrowhead transplanting activities, and will proceed through June 30, 2017.