

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: Public Works *MM*

BOARD AGENDA # *C-1

Urgent Routine

AGENDA DATE August 19, 2014

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Amendment No. 2 to the Agreement with Rajappan & Meyer Consulting Engineers for Additional Design Support Services during the Construction Phase of the SR 99/SR 219 (Kiernan Avenue) Interchange Project

STAFF RECOMMENDATIONS:

1. Approval of Amendment No. 2 to the Agreement with Rajappan & Meyer Consulting Engineers for additional design support services during the construction phase of the SR 99/SR 219 (Kiernan Avenue) interchange project.
2. Authorize the Director of Public Works to execute the amendment with Rajappan & Meyer Consulting Engineers in the amount of \$250,000 and to sign necessary documents.

FISCAL IMPACT:

The contract for the Plans, Specifications, and Estimate (PS&E) phase of work for the SR 99/SR 219 (Kiernan Avenue) interchange project was funded with Public Facilities Fees. The original contract cost of the services for the PS&E phase of the interchange project was \$5,499,163. Contract Amendment #1 in the amount of \$250,000 was approved in August of 2013. At this time, \$250,000 is needed to continue to perform design support services throughout the remainder of the construction phase of the project; bringing the total contract amount to \$5,999,163.

(Continued Page 2)

BOARD ACTION AS FOLLOWS:

No. 2014-431

On motion of Supervisor Chiesa , Seconded by Supervisor Monteith
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Withrow, Monteith, and Chairman De Martini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of Amendment No. 2 to the Agreement with Rajappan & Meyer Consulting Engineers for Additional Design Support Services During the Construction Phase of the SR 99/SR 219 (Kiernan Avenue) Interchange Project

FISCAL IMPACT (Continued):

The funds are necessary for additional design support services and will be funded with Proposition 1B - State Route 99 Bond Savings funds allocated to the construction phase of the project on June 27, 2012.

DISCUSSION:

Stanislaus County, in cooperation with California Department of Transportation (Caltrans) District 10, is in the process of reconstructing the SR 99/SR 219 (Kiernan Avenue) Interchange in the Salida community. This project will help facilitate future growth, help alleviate traffic congestion, and will improve the operation of this interchange. Increasing the efficiency of the interchange will also encourage the free flow of goods and services for the region and the State. Alternative #1 was the preferred and selected alternative and was estimated to cost approximately \$45 million for environmental, design, right-of-way acquisitions, utility relocations, and construction (including construction management).

The interchange improvements include reconstruction of the existing interchange to provide improved operations for turning movements to and from SR 99, as well as associated local road improvements at adjacent intersections.

California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) clearances were obtained on May 25, 2011 by Caltrans.

An Initial Study with Mitigated Negative Declaration/Environmental Assessment with Finding of No Significant Impact was prepared, circulated, approved, and adopted by Caltrans. Acting as a responsible agency, the County Board of Supervisors adopted the environmental document on July 17, 2012. There are no significant environmental impacts of the proposed project.

An agreement with Rajappan & Meyer Consulting Engineers (R&M) for the PS&E phase of the project was entered into in September of 2010. The design phase of the project, including right of way certification, was completed on May 14, 2012. The Board adopted the plans and specifications for the project on July 17, 2012 and awarded the construction contract to O.C. Jones & Sons, Inc. on December 4, 2012. The project broke ground in April of 2013 and is expected to be completed in April 2016.

During the construction phase of the project, it is imperative to have the design consultant as part of the project delivery team. The County previously approved Amendment No. 1 for design support services during the construction phase.

Approval of Amendment No. 2 to the Agreement with Rajappan & Meyer Consulting Engineers for Additional Design Support Services During the Construction Phase of the SR 99/SR 219 (Kiernan Avenue) Interchange Project

The Amendment No. 1 budget will be expended within the next four months due to extensive shop drawing reviews for the storm drain pump station, contractor proposed staging changes, and general construction activity and miscellaneous varying site conditions requiring the designers review and input. The project still has 21 months of work until completion. Amendment No. 2 will allow R&M to continue to support the County and the County's construction management firm with as-requested design services throughout the remainder of the construction phase of the project. R&M's continued services will include reviewing material submittals which include pre-stressing, joint seal assemblies, electrical components, foundations, closed circuit television, structural bridge components, and traffic signal and lighting shop drawings. They will also assist in answering requests for information, preparing revised drawings and other change order related documents, preparation of as-built drawings, and maintaining and updating the project history file. R&M will be responsible for performing, reviewing, and approving any design revisions during construction.

Public Works staff recommends Board approval of Amendment No. 2 to assure timely and compliant delivery and design review of construction activities on the interchange project.

POLICY ISSUES:

The recommended actions are consistent with the Board's priorities of providing A Safe Community, A Healthy Community and A Well Planned Infrastructure System by providing the necessary design services during the construction phase of the interchange project to ensure efficient delivery of the project.

STAFFING IMPACT:

There is no staffing impact associated with this item.

CONTACT PERSON:

Matt Machado, Director of Public Works - Telephone: (209) 525-4130.

AMENDMENT NO. 2
Professional Design Services Agreement between
County of Stanislaus and Rajappan & Meyer Consulting Engineers, Inc.

SR 99/SR 219 (Kiernan Avenue) Interchange Project
Contract No. 9207

This Amendment is made and entered into this 19th day of August, 2014, in the City of Modesto, State of California, by and between the County of Stanislaus ("County") and Rajappan & Meyer Consulting Engineers, Inc. ("Consultant"), for and in consideration of the promises, and the mutual promises, covenants, terms, and conditions, hereinafter contained.

WHEREAS, on September 21, 2010, the Stanislaus County Board of Supervisors awarded a Professional Design Services Agreement ("Agreement") to Consultant, in the amount of \$5,499,163, for the SR 99/SR 219 (Kiernan Avenue) Interchange Project;

WHEREAS, there is a need for additional services, in the amount of \$250,000, as shown in Exhibit "A" dated July 16, 2014; and,

WHEREAS, an increase in the maximum amount of the Agreement is necessary to cover additional work as stated in Exhibit "A", attached hereto and made a part of this Amendment.

\$5,499,163	Original Agreement
<u>+\$250,000</u>	<i>Amendment No. 1</i>
\$5,749,163	Revised
<u>+250,000</u>	<i>Amendment No. 2</i>
\$5,999,163	Revised

NOW THEREFORE, the parties agree as follows:

- Section 1.1 Scope of Services is amended to include additional services as shown in Exhibit "A" attached hereto and made a part of this Amendment.
- Section 2.1 Compensation is amended to include additional fees of \$250,000 as shown in Exhibit "A" attached hereto and made a part of this Amendment. Consultant's compensation shall in no case exceed Five Million Nine Hundred Ninety-Nine Thousand One Hundred Sixty-Three Dollars (\$5,999,163).

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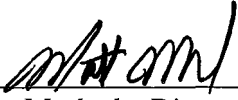
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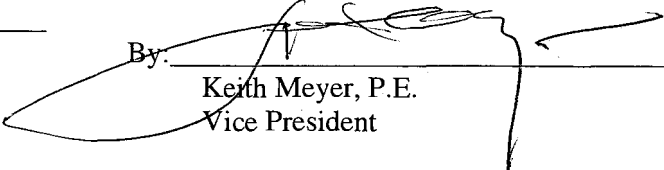
(SIGNATURES ON NEXT PAGE)

IN WITNESS WHEREOF, the parties have executed this Second Amendment effective on the date written above.

COUNTY OF STANISLAUS

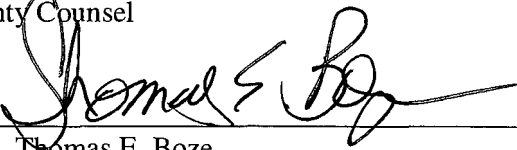
RAJAPPAN & MEYER
CONSULTING ENGINEERS, INC.

By: 
Matt Machado, Director
Department of Public Works

By: 
Keith Meyer, P.E.
Vice President

APPROVED AS TO FORM

John P. Doering
County Counsel

By: 
Thomas E. Boze
Deputy County Counsel



Memorandum

July 16, 2014

Exhibit A

To: Chris Brady
Stanislaus County Department of Public Works

From: Keith Meyer
Rajappan & Meyer Consulting Engineers, Inc.

RE: SR-99/Kiernan Interchange Additional Construction Period Design Support

Dear Chris;

Attached is our revised amendment to our design contract to provide continuing construction period services on the subject project. The current budget will be expended due to extensive shop drawing reviews for the pump station, contractor proposed staging changes and general construction activity and varying site conditions requiring responses to comments, review of submittals and field meetings.

Overview:

Construction of the SR-99/Kiernan Interchange Project is the responsibility of Stanislaus County. R&M is under contract to the County to continue supporting the County and the County's Construction Manager during the construction period with as-requested design services. Should the budget for this construction period service be exhausted, R&M shall request and justify additional budget. Design services are required for completion of the construction of the SR-99/ Kiernan Interchange Project from April 2013 through April 2016. All work will be completed on a time and materials basis based on billing rates contained in Attachment 2.1.

Task I – Management/Coordination Activities:

Rajappan & Meyer (CONSULTANT) (R&M), under this Contract, will provide continued management for its effort for the duration of the construction schedule. The construction schedule is anticipated to be 36 months. The management functions are described in detail in the following:

- a. Continue to interface with County's Construction Manager to assure responsiveness and format consistency of all deliverables and responses.
- b. Continue to coordinate design effort with all team members, including subconsultants.
- c. Continue to attend coordination meetings or field visits as requested. 20 additional meetings and/or visits are budgeted.
- d. Continue to submit invoices every four weeks to the County. The invoices will segregate costs by task activity; invoices will include the status of the current billings compared to established budgets.
- e. Continue to maintain and update the Project History File (PHF) in a format consistent with the Caltrans Central Region PHF requirements.



Task 2 - Construction Period Services:

R&M and/or its subconsultants as appropriate will provide services to the County such as reviewing contractor submittals, calculations, and reviewing change orders at the request of the County or the County's Construction Manager. Activities may include appropriate recommendations and documentation of the Team's activities. For each response that may require more than 20 hours to complete, R&M shall prepare a brief scope and budget for approval by the County. R&M shall not proceed with work until approved by the County. Should the budget for this phase be exhausted, R&M shall request and justify additional budget.

- a. Requests for Information. R&M shall furnish supplemental information and clarifications as requested by County or the County's Construction Manager. Responses shall be made via email, within 2 days of receipt. R&M shall advise if responses require greater time to complete.
- b. Submittal Review. R&M and/or its subconsultants shall review as requested by County or the County's Construction Manager various project submittals, including pre-stressing, joint seal assemblies, electrical components, soundwalls, foundations, CCTV and bridge railing shop drawings, precast box culvert; traffic signal and street lighting submittals, as submitted by the Caltrans for review. Responses shall be made via email, within 5 days of receipt. R&M shall advise if responses require greater time to complete. **The County or the County's Construction Manager shall make all structural submittals first to Caltrans Office of Structure Design (OSD), and direct OSD to forward their completed review to R&M once they are complete.**
- c. Change Orders. R&M shall prepare drawings and change orders required due to requests of County or the County's Construction Manager. For each CCO requested, R&M shall prepare a scope and budget for approval by the County. R&M shall not proceed with work until approved by the County.

Task 3 – As-Built Drawings/PHF

R&M shall provide As Built Drawings based on Contractor's and/or Construction Manager's red-lined changes. Mark-ups will be electronically drafted on the original signed vellums, as per current Caltrans Guidelines. DWG and hard copy submittals will be made to Caltrans and the County. R&M will also assemble the final Project History File for transmittal to Caltrans.

Assumptions:

- The duration of the project construction will not exceed 36 months.
- A maximum of 20 additional meetings/site visits or meetings will be required over the remaining course of construction.
- Responding to RFIs and developing associated CCOs to address alternative construction method requests, or unforeseeable construction field issues (contractor scheduling, contractor equipment limitations, 3rd party coordination/limitations, undocumented existing conditions, etc) that could not typically have been anticipated during design development is included in the scope of services up to the budget limit. Should the budget for this phase be exhausted, R&M shall request and justify additional budget.
- Final right of way record maps are additional services.
- Major CCO's requested by the County or the County's CM will require additional budget.



Memorandum

- Construction staking, additional surveys, right of way record maps and/or construction management is not included in R&M's work.

We propose to provide the above additional scope of services on a time and materials basis, with a budget amendment of \$250,000, including expenses. This will supplement our remaining budget from contract Amendment #1 for construction support.

Thank you very much for retaining R&M for this service, we have enjoyed working with the County immensely on this important project. Should you have any questions, please do not hesitate to call.

Sincerely,

RAJAPPAN & MEYER CONSULTING ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'Keith G. Meyer', with a long horizontal flourish extending to the right.

Keith G. Meyer, P.E.
Vice President
KEITH@RMENGINEERS.COM

**Attachment 2.1 COMPENSATION, INVOICING AND
PAYMENT**

Fixed Billing Rate Agreement

ADDITIONAL CONSTRUCTION PERIOD DESIGN SUPPORT SERVICES
FOR THE SR 99/KIERNAN AVENUE INTERCHANGE PROJECT

Services and Expenses

Mileage	\$.50/mile
Fax Copies	\$	1.00/sheet
Black and White Plots	\$.12/sheet
Color Plots	\$	5.00/sheet
CADD Computer Time	\$	10.00/linear foot
	\$	10.00/hr.

Other Direct Costs

Photocopying, blueprints, photo developing (at cost)

Cost Reimbursement Costs

Commercial services (e.g., printing, computer time, laboratory fees, materials and suppliers) are billed as other direct reimbursement costs.

*Billing rates include direct salary, overhead, fringe benefits and allowance for profit on labor.

All project costs, including material costs, shall be absorbed into the CONSULTANT'S hourly rates, except those expressly identified in the Schedule of Charge Rates above.

All charge rates as shown above are effective from the date of execution of this agreement, after which time the rates are subject to annual adjustment in January of each year. CONSULTANT shall notify Stanislaus County in writing of new billing rates. No change in project budgets shall be made by CONSULTANT due solely to charge rate changes.

The following Attachment 2A summarizes CONSULTANT'S level of effort and budget anticipated for the project. This chart is for information only. The Consultant shall be allowed to adjust effort among tasks as needed to complete the work.

Item B. Additional Services Compensation

Compensation for additional services that may be required during the execution of this contract shall be based on billing rates at the time of agreement of additional services. CONSULTANT shall not begin work or incur charges for any additional service, until Stanislaus County provides a written amendment and Notice to Proceed.

Rajappan & Meyer Consulting Engineers, Inc.

5/15/2014

PROJECT EFFORT AND BUDGET BY TASK

SR 99/Kiernan Avenue Additoinal Design Services During Construction Support

Person	1. Project Management	2a. Submittal Review	2b. RFIs	3. As - built/PHF	TOTAL	
Principal Manager	60	0	0	0	60	
Senior Structural Manager	0	60	80	40	180	
Senior Design Manger	40	60	80	80	260	
Senior Project Engineer	0	60	80	0	140	
Project Engineer	0	60	0	0	60	
Assist. Proj. Engineer	0	120	140	150	410	
Admin	60	0	0	0	60	
Total R&M Hours	160	360	380	270	1,170	
TOTAL HOURS	160	360	380	270	1,170	
Estimated R&M Labor Cost						
	Bid Period Changes					
	Hourly	1. Project	2a. Submittal	2b. RFIs	3. As - built/PHF	TOTAL
Title	Rate	Management	Review			
Principal Manager	\$295	\$17,700	\$0	\$0	\$0	\$17,700
Senior Structural Manager	\$260	\$0	\$15,600	\$20,800	\$10,400	\$46,800
Senior Design Manger	\$240	\$9,600	\$14,400	\$19,200	\$19,200	\$62,400
Senior Project Engineer	\$180	\$0	\$10,800	\$14,400	\$0	\$25,200
Project Engineer	\$125	\$0	\$7,500	\$0	\$0	\$7,500
Assist. Proj. Engineer	\$94	\$0	\$11,280	\$13,160	\$14,100	\$38,540
Admin	\$90	\$5,400	\$0	\$0	\$0	\$5,400
SUBTOTAL LABOR		\$32,700	\$59,580	\$67,560	\$43,700	\$203,540
Other Direct Costs						
Travel		\$1,360	\$0	\$0	\$0	\$1,360
Printing/Copying		\$500	\$500	\$500	\$1,000	\$2,500
Deliveries		\$1,000	\$0	\$0	\$100	\$1,100
NOLTE		\$0	\$4,300	\$3,000	\$2,500	\$9,800
BRI		\$0	\$0	\$1,000	\$0	\$1,000
LSA Associates		\$0	\$0	\$1,000	\$0	\$1,000
GEOCON		\$0	\$5,000	\$0	\$0	\$5,000
AEC		\$0	\$5,000	\$3,000	\$0	\$8,000
DCAA		\$0	\$3,000	\$2,000	\$0	\$5,000
CADD		\$1,600	\$3,600	\$3,800	\$2,700	\$11,700
SUBTOTAL ODC's		\$4,460	\$21,400	\$14,300	\$6,300	\$46,460
TOTAL		\$37,160	\$80,980	\$81,860	\$50,000	\$250,000