

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

DEPT: Public Works

BOARD AGENDA #: \*C-1

AGENDA DATE: November 1, 2016

**SUBJECT:**

Approval of Amendment No. 4 to the Agreement with Rajappan & Meyer Consulting Engineers for Right of Way Engineering Services for the SR 99/SR 219 (Kiernan Avenue) Interchange Project

**BOARD ACTION AS FOLLOWS:**

No. 2016-549

On motion of Supervisor O'Brien, Seconded by Supervisor Withrow  
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1)  Approved as recommended


2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

ATTEST:

  
ELIZABETH A. KING, Clerk of the Board of Supervisors

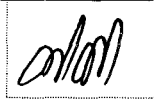
File No.

**THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS  
AGENDA ITEM**

DEPT: Public Works

Urgent

Routine



BOARD AGENDA #: \*C-1

AGENDA DATE: November 1, 2016

CEO CONCURRENCE:

4/5 Vote Required: Yes  No

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**SUBJECT:**

Approval of Amendment No. 4 to the Agreement with Rajappan & Meyer Consulting Engineers for Right of Way Engineering Services for the SR 99/SR 219 (Kiernan Avenue) Interchange Project

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**STAFF RECOMMENDATIONS:**

1. Approve Amendment No. 4 to the Agreement with Rajappan & Meyer Consulting Engineers for \$37,610 to provide right-of-way engineering services for 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 \$37,610 and to sign necessary documents, including any future amendments to the agreement, not to exceed 10%.

**DISCUSSION:**

In cooperation with Caltrans District 10, Stanislaus County has recently reconstructed the State Route 99/State Route 219 (Kiernan Avenue) Interchange in the community of Salida. The goal of the project was to help facilitate future growth, alleviate traffic congestion, and improve the operation of this interchange. Increasing the efficiency of the interchange encourages the free flow of goods and services for the region and the State.

As part of closeout requirements for the construction phase of the project, Stanislaus County needs to transfer the roadway right-of-way that was acquired to facilitate the project to the State of California. To transfer right-of-way, the County needs to perform additional field surveying and mapping services to fulfill State requirements for right of way relinquishment.

The right of way engineering services will include setting survey monuments in the field, preparing and recording a record of survey, preparing legal descriptions and plat drawings, and completing a right of way record map.

The Board previously approved an agreement with Rajappan & Meyer Consulting Engineers in September of 2010. It is imperative the County completes the aforementioned right-of-way engineering tasks to ensure the project meets Caltrans' closeout requirements. Public Works staff recommends approval of this agreement amendment.

Approval of Amendment No. 4 to the Agreement with Rajappan & Meyer Consulting Engineers for Right of Way Engineering Services for the SR 99/SR 219 (Kiernan Avenue) Interchange Project

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**POLICY ISSUE:**

Board approval is necessary for this agreement amendment. No previous Board authorization was given to the Department to amend this professional design services agreement.

**FISCAL IMPACT:**

An agreement with Rajappan & Meyer Consulting Engineers for the design phase of the project was entered into in September of 2010 for a total contract amount of \$5,499,163. Contract Amendment No. 1 in the amount of \$250,000 was approved in August of 2013. Contract Amendment No. 2 in the amount of \$250,000 was approved in August of 2014. Contract Amendment No. 3 was for a contract extension and held no fiscal impact.

At this time, an additional \$37,610 is needed to perform the right-of-way engineering services per Caltrans' closeout requirements. The requested Amendment No. 4 for \$37,610 will bring the total contract amount to \$6,036,773.

On June 27, 2012, the California Transportation Commission allocated \$37.1 million of Proposition 1B – State Route 99 Bond Savings Funds for the construction phase of the State Route 99/State Route 219 (Kiernan Avenue) Interchange Project. There is still sufficient funding available for reimbursement with Bond Savings Funds. Funds are available in the Fiscal Year 2016-2017 Adopted Final Public Works' Road Projects budget.

<b>Cost of recommended action:</b>	\$	37,610
<b>Source(s) of Funding:</b>		
Proposition 1B State Route 99 Bond Savings Funds	\$	<u>37,610</u>
<b>Funding Total:</b>		<u>37,610</u>
<b>Net Cost to County General Fund</b>	<b>\$</b>	<b><u><u>-</u></u></b>

<b>Fiscal Year:</b>	2016-2017
<b>Budget Adjustment/Appropriations needed:</b>	<b>No</b>

**Fund Balance as of**

**BOARD OF SUPERVISORS' PRIORITY:**

The recommended actions support the Board's priorities of providing A Safe Community, A Healthy Community and A Well-Planned Infrastructure System by ensuring efficient delivery of the project.

**STAFFING IMPACT:**

Existing Public Works staff is managing the services of the consulting firm.

Approval of Amendment No. 4 to the Agreement with Rajappan & Meyer Consulting Engineers for Right of Way Engineering Services for the SR 99/SR 219 (Kiernan Avenue) Interchange Project

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**CONTACT PERSON:**

Matt Machado, Public Works Director

Telephone: (209) 525-4153

**ATTACHMENT(S):**

1. Agreement Amendment No. 4 – Rajappan & Meyer Consulting Engineers

ATTACHMENT 1

Agreement Amendment No. 4 – Rajappan & Meyer Consulting Engineers

STANISLAUS COUNTY

Fourth Amendment to Professional Design Services Agreement  
SR 99/SR 219 (Kiernan Avenue) Interchange Project - Contract #9207

This Amendment is made and entered into this 1st day of November, 2016, in the City of Modesto, State of California, by and between the County of Stanislaus (“County”) and Rajappan & Meyer Consulting Engineer, 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 Five Million Four Hundred Ninety-Nine Thousand One Hundred Sixty-Three Dollars (\$5,499,163), for all-inclusive engineering services for the SR 99/SR 219 (Kiernan Avenue) Interchange project;

WHEREAS, there is a need for additional services as shown in “Exhibit 1-A”, attached hereto and made a part of this Amendment;

WHEREAS, an increase of Thirty-Seven Thousand Six Hundred Ten Dollars (\$37,610) to the Agreement is necessary to cover the additional services;

	\$5,499,163	Agreement
	\$ 250,000	First Amendment
	\$ 250,000	Second Amendment
Extension of Contract		Third Amendment
	<u>\$ 37,610</u>	Fourth Amendment
	\$6,036,773	Total

WHEREAS, Consultant’s agreement will expire at the end of December 2016, the Director of Public Works is requesting that the agreement be extended to the end of March 2017 to enable Consultant to complete required right-of-way engineering services related to the project close out;

WHEREAS, Consultant has continued to diligently perform the services requested to support this project in good faith; and,

NOW THEREFORE, the parties agree as follows:


1. Section 1.1 of the Agreement: Scope of Services is amended to include additional services as shown in Exhibit “1-A” attached hereto and made a part of this Amendment.
2. Section 2.1 of the Agreement: Compensation is amended to include additional fees of Thirty-Seven Thousand Six Hundred Ten Dollars (\$37,610) as shown in Exhibit “1-A” attached hereto and made a part of this Amendment. Consultant’s compensation shall in no case exceed Six Million Thirty-Six Thousand Seven Hundred Seventy-Three Dollars (\$6,036,773).

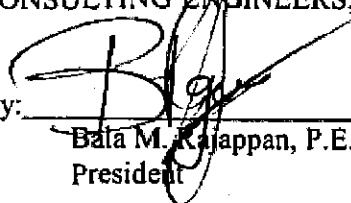
3. All other terms and conditions of the Agreement shall remain in full force and effect.

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


COUNTY OF STANISLAUS

RAJAPPAN & MEYES  
CONSULTING ENGINEERS, INC.

By:   
Matt Machado, Director  
Department of Public Works

By:   
Bala M. Rajappan, P.E.  
President

APPROVED AS TO FORM  
John P. Deering, County Counsel

By:   
Armanda DeHart  
Deputy County Counsel

PROPOSAL FOR

SR 99 / Kiernan Avenue  
Right of Way Engineering

Submitted To: Bala Rajappan  
Rajappan & Meyer  
1038 Leigh Ave., Suite 100  
San Jose, CA. 95126  
408-280-2772

Submitted By:

**N | V | 5**



# **SR 99/ KIERNAN AVENUE** **ROW ENGINEERING**

## **Detailed Work Plan** **Project Understanding**

Rajappan Meyer, at the request of Stanislaus County has asked NV5 to provide a proposal for ROW engineering services related to the project close out for the SR99/Kiernan Avenue project. In general the scope includes surveying and document preparation to transfer properties to the State for right of way and access purposes.

The scope of work for this project is described in detail below:

### **Task 1 – Set Monuments and Prepare Record of Survey**

Caltrans District 10 requires that all properties that will be transferred to the state must have monuments set and a Record of Survey recorded which documents the control and monuments set. We have met with Caltrans District 10 Survey Dept. to determine the location and number of monuments to fulfill the monumentation requirements for the seven (7) properties to be transferred to the state. The monuments will be set using 5/8" rebar 18"-24" long with a brass tag or plastic cap. The properties which were purchased by Stanislaus County that will remain in County ownership will not be monumented and will not be a part of the Record of Survey. The attached Exhibit "A" defines the parcels to be transferred to the state and those to remain within County control.

### **Task 2 – Legal Descriptions /Grant Deed**

Legal descriptions were previously prepared and recorded for the project. However, all of the descriptions will have to be modified slightly to match the Caltrans format and four (4) new descriptions will have to be written for the two (2) properties previously purchased by the County that will have to be split. NV5 will coordinate with Stanislaus County to have the Grant Deed prepared and executed and then provide the executed package to Caltrans for recordation. A recorded copy of the Grant Deed and legal descriptions will be provided to the County after recordation.

### **Task 3 – Right of Way Record Map**

A Right of Way Record Map will be prepared showing only the properties to be transferred to the state. The map will be in the Caltrans format at a scale of 1" = 50' and NV5 will coordinate with Stanislaus County and Caltrans to obtain approvals.

#### **Task 4 – Meetings**

NV5 will attend meetings with Caltrans and Stanislaus County to review all prepared documents, to have the property transfer package executed, obtain approvals and have the documents recorded. A budget of \$2,160 is T&M estimate for this task.

#### **Exclusions**

The following items are excluded from the scope of services within this proposal. However, upon request by the client, these services can be provided for an additional fee.

1. Setting monuments for properties that will remain in County ownership
2. Setting Type "A" concrete monuments for properties to be transferred
3. Exhibits for legal descriptions

#### **Proposal Fee**

Task 1 – Set Monuments and Prepare Record of Survey	\$ 20,640
Task 2 – Legal Descriptions / Grant Deed	\$ 2,350
Task 3 – Right of Way Record Map	\$ 12,460
Task 4 – Meetings	<u>\$ 2,160</u>
<b>Total for Tasks 1-4</b>	<b>\$ 37,610</b>

All fees are T&M, Not to Exceed Fees

CLIENT AUTHORIZATION:

NV5 AUTHORIZATION:

BY: \_\_\_\_\_

BY: \_\_\_\_\_

Print Name & Title:

Print Name & Title:

Bala Rajappan, President

Ron Pisel, Engineering Manager