

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

DEPT: Public Works

BOARD AGENDA #: \*C-5

AGENDA DATE: April 18, 2017

**SUBJECT:**

Approval of Amendment No. 1 to the Agreement with Harris & Associates for Construction Inspection and Management Services for the Morgan Road Heavy Equipment Shop/Administrative Building Project and Authorize up to 5% Contingency Funds for Change Orders on the Morgan Road Heavy Equipment Shop/Administrative Building Project

**BOARD ACTION AS FOLLOWS:**

No. 2017-192

On motion of Supervisor Withrow, Seconded by Supervisor Olsen  
and approved by the following vote,

Ayes: Supervisors: Olsen, Withrow, Monteith, DeMartini, and Chairman Chiesa

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:

  
PAM VILLARREAL, Assistant Clerk

File No.

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

DEPT: Public Works

Urgent

Routine

BOARD AGENDA #: \*C-5

AGENDA DATE: April 18, 2017



CEO CONCURRENCE:

4/5 Vote Required: Yes  No

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**SUBJECT:**

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**STAFF RECOMMENDATIONS:**

1. Approve Amendment No. 1 to the Agreement with Harris & Associates for \$98,000 to provide additional construction inspection and management services for the Morgan Road Heavy Equipment Shop/Administrative Building Project.
2. Authorize up to 5%, \$740,095, of contingency funds for change orders on the Morgan Road Heavy Equipment Shop/Administrative Building Project with Diede Construction.
3. Authorize the Director of Public Works to execute the amendment with Harris & Associates in the amount of \$98,000 and to sign necessary documents.

**DISCUSSION:**

The Public Works Morgan Road Facility is a 15-acre site originally developed in the 1950's, with most structures built and occupied by 1958. Over the past 56 years the site has seen various minor improvements and maintenance efforts. Much of the site remains in its original state.

As a part of the replacement of aging and dilapidated buildings, the Public Works Maintenance Shop and Administration Building Replacement Project will make site improvements to improve function and efficiency of the current and remaining uses of the site. These uses will include the Public Works Shop, Public Works Administration, Household Hazardous Waste, and the County Fueling Facility. The Morgan Road Heavy Equipment Shop/Administration Building Project involves 9.5 acres of the 15-acre site and consists of: new buildings to replace the existing maintenance shop, sign shop, carpenter shop, trailers, and administration building; a mixture of permeable paver and asphalt parking lots; utility services from existing adjacent sources; and improvements to the adjacent frontage of Morgan Road.

On January 12, 2016, the Board of Supervisors authorized an agreement with Harris & Associates for construction inspection and management services.

Construction of the Morgan Road Heavy Equipment Shop/Administrative Building project began on February 23, 2016. Due to various delays thus far in the project, including inclement

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weather, the scheduled completion date for the two structures being built are about three months behind. Because the consultant is operating under a Master agreement they are not in need of a contract extension. However, because the buildings have been taking longer and have not been completed as planned, the consultant has already spent their budget. Therefore, the original budget for construction inspection with Harris & Associates is in need of an increase. Public Works staff needs building inspection assistance through June 2017, when both building structures are scheduled to be completed.

The agreement with Harris & Associates was for a total contract amount of \$480,010. At this time, an additional \$98,000 is needed to continue their construction inspection efforts as described in the original scope of the Professional Design Services Agreement. The requested Amendment No. 1 for \$98,000 will bring the total contract amount to a not to exceed of \$578,010.

Public Works staff typically requests contingency funds for contract change orders, as it is expected that changes and extra work will take place throughout the life of project of this type. The Department requires authorization for up to 5% contingency funds for change orders and unforeseen extra work. When the construction contract was originally awarded to Diede Construction, authorization to execute change orders was given, but there was no funding requested and authorized by the Board at that time. At this time, authorization for 5% contingency funding, \$740,095, is being requested.

**POLICY ISSUE:**

Board approval is necessary for this agreement amendment with Harris & Associates as the value of the amendment is greater than 10% of the original agreement. Board approval is also necessary for an increase in the construction budget for contingency funding as it was not previously authorized. The contingency funding request is in accordance with Public Contract Code sections 20137 and 20142.

**FISCAL IMPACT:**

Funding for the agreement amendment is available in the Fiscal Year 2016-2017 Public Works Morgan Shop and Roads and Bridges Project budgets.

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**Cost of recommended action:** \$ 838,095

**Source(s) of Funding:**

Congestion Mitigation Air Quality, Public Facilities Fees and Internal Borrowing

\$ 838,095

**Funding Total:**

838,095

**Net Cost to County General Fund**

\$ -

**Fiscal Year:**

2016-2017
No

**Budget Adjustment/Appropriations needed:**

**Fund Balance as of**

**BOARD OF SUPERVISORS' PRIORITY:**

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 replacing aging, dilapidated facilities and constructing modern, Compressed Natural Gas compliant facilities which support public works.

**STAFFING IMPACT:**

Public Works will continue to administer the necessary consultant agreement, construction contracts, and overall management of the project.

**CONTACT PERSON:**

Matt Machado, Public Works Director

Telephone: (209) 525-4153

**ATTACHMENT(S):**

1. Amendment #1 to the Agreement with Harris & Associates

ATTACHMENT 1

AMENDMENT #1 TO THE AGREEMENT WITH HARRIS & ASSOCIATES

STANISLAUS COUNTY

First Amendment to Agreement  
Public Works Vehicle Maintenance Shop and Administrative Building  
Contract No. 2016-001

This Amendment is made and entered into this 4th day of April, 2017, in the City of Modesto, State of California, by and between the County of Stanislaus ("County") and Harris & Associates, ("Consultant"), for and in consideration of the promises, and the mutual promises, covenants, terms, and conditions, hereinafter contained.

WHEREAS, on January 12, 2016, the Stanislaus County Board of Supervisors entered into an Agreement with Consultant for the Public Works Vehicle Maintenance Shop and Administrative Building project;

WHEREAS, Consultant was hired to provide full-time construction inspection and scheduling services through the end of March, 2017;

WHEREAS, due to project delays, County has requested additional construction inspection and scheduling assistance from April 1, 2017 through June 30, 2017;

WHEREAS, Consultant is requesting additional compensation to cover the requested services as shown in "Exhibit A" attached hereto and made a part of this Amendment;

WHEREAS, an increase of Ninety-Eight Thousand Dollars (\$98,000) to the Agreement is necessary to cover the additional services;

\$480,010	Agreement
<u>+98,000</u>	First Amendment
\$578,010	Total

WHEREAS, approval from the Board of Supervisors is required as the additional compensation exceeds ten percent of the original contract;

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 C-2 Compensation is amended to include additional fees of Ninety-Eight Thousand Dollars (\$98,000) as shown in "Exhibit A" attached hereto and made a part of this Amendment. Consultant's compensation shall in no case exceed Five Hundred Seventy-Eight Thousand Ten Dollars (\$578,010).


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

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


COUNTY OF STANISLAUS

HARRIS & ASSOCIATES

By:   
Matt Machado, Director  
Department of Public Works

By:   
Glenn Sutor, PE  
Division President, PM/CM

APPROVED AS TO FORM  
John P. Doering, County Counsel

By:   
Amanda DeHart  
Deputy County Counsel



January 24, 2017

Chris Brady, PE, Deputy Public Works Director

County of Stanislaus  
1716 Morgan Road  
Modesto, CA 95358

**RE: Stanislaus County Vehicle Maintenance and Admin Building Project  
Request for Additional Funds for the Project**

Dear Chris:

We verbally discussed the progress of the Vehicle Maintenance and Admin Building Project and the fact that the project schedule has been pushed out beyond the date originally anticipated by Harris. Our original assumption was that full-time inspection would only be required through March of 2017 and project completion would occur in April. The County has asked for full-time inspection and scheduling assistance through June of 2017.

As per prior discussions, Harris & Associates is seeking additional compensation for the additional services provided to the County to cover construction inspection and schedule review costs for the extended period. The additional compensation is estimated as detailed in the following table:

<b>Harris' Request for Additional Compensation Airport Neighborhood Sewer Improvement Project</b>			
<b>April, May and June, 2017</b>			
<b>Position</b>	<b>Hours</b>	<b>Rate</b>	<b>Total</b>
Inspector	515	\$180.00	\$92,700.00
Scheduler	30	\$170.00	\$5,100.00
<i>Subtotal</i>			<i>\$97,800.00</i>
<b>Not-to-Exceed Total</b>			<b>\$98,000.00</b>

If you have any questions regarding this request, please contact me at (559) 960-2907.

Sincerely,  
Harris & Associates

Bobby Pentorali, PE, QSD  
Senior Project Manager