

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

DEPT: Public Works *AM*

BOARD AGENDA # *C-3

Urgent Routine

AGENDA DATE April 22, 2008

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval of Amendment No. 3 to Agreement No. 2004-1 with RBF Consulting to Add Additional Engineering Service for the Geer Road at Whitmore Intersection Improvement Project

STAFF RECOMMENDATIONS:

1. Approve Amendment No. 3 to Agreement No. 2004-1 with RBF Consulting to include additional engineering services for improvements associated with the Geer Road at Whitmore Avenue Intersection Improvement Project.
2. Authorize the Director of Public Works to execute the amendment to the agreement with RBF Consulting for the Geer Road at Whitmore Intersection Improvement Project.
3. Direct the Auditor-Controller to increase appropriations and estimated revenue, per the attached financial transaction sheet.

FISCAL IMPACT:

The estimated total cost of the project is \$2,038,811. The Geer Road at Whitmore Avenue Intersection Improvement Project will be funded 100% by Regional Transportation Impact Fee (RTIF) funds. At this time, \$68,932 is needed for additional engineering design services associated with the delivery of this improvement project.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2008-290

On motion of Supervisor Grover, Seconded by Supervisor DeMartini
and approved by the following vote,

Ayes: Supervisors: O'Brien, Grover, Monteith, DeMartini, and Chairman Mayfield

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. 3 to Agreement No. 2004-1 with RBF Consulting to Add Additional Engineering Service for the Geer Road at Whitmore Intersection Improvement Project

FISCAL IMPACT (Continued):

The original contract with RBF Consulting was in the amount of \$316,700. The contract was amended in May 2005, in the amount of \$83,960, for additional design services for the Geer Road at Hatch Road Intersection Improvement Project and later in the amount of \$20,000 for associated construction services. If Amendment No. 3 is approved by Board, the revised contract amount would be \$489,592.

DISCUSSION:

In January 2004, the Board of Supervisors approved the Public Works Department Traffic Congestion Relief Program. The Traffic Congestion Relief Program provides for the installation of traffic signals, left turn lanes and related improvements on selected roadways throughout the County, including the improvements to the Geer Road at Whitmore Avenue intersection.

In June 2004, the Board of Supervisors awarded a contract to RBF Consulting (RBF) for environmental and engineering services for the Traffic Congestion Relief Project "D". This project consists of intersection improvements at two intersections on Geer Road. The two intersections are Geer Road at Hatch Road and Geer Road at Whitmore Avenue. RBF completed the environmental documents and design for the Geer Road at Hatch Road Intersection and construction of this intersection improvement was completed on June 18, 2007.

The Geer Road at Whitmore Avenue project consists of proposed new traffic signals and additional through lanes and turn lanes that is expected to improve traffic safety and enhance the flow of traffic through the Geer Road at Whitmore Avenue intersection. Installation of safety lighting and shoulder widening will also be completed.

On June 5, 2007, the Board of Supervisors approved the Initial Study/Mitigated Negative Declaration for the Geer Road at Whitmore Avenue Intersection Project.

The design of the Geer Road at Whitmore Avenue Intersection Improvements was stalled pending the relocation of the Turlock Irrigation District's electrical substation and right-of-way acquisition on adjoining parcels. Turlock Irrigation District is now proceeding with their plans to relocate the substation and the County has obtained all of the right-of-way needed for this project.

The scope of work in the original contract with RBF Consulting remains the same. However, roughly 88% of the original budget has been exhausted completing the Geer Road at Hatch Road Intersection design and the development of numerous geometric and in and out of scope studies to attempt to initiate the Geer Road at Whitmore Avenue Intersection design that were not included in the original budget. In addition, 3 ½ years have elapsed since the execution of the contract, and fees and expenses have risen. The delay was due to the Turlock Irrigation District not relocating the electrical substation on the northeast corner of Geer Road and Whitmore Avenue. Turlock Irrigation District is under construction with the relocation of the electrical substation. Public Works staff has been

Approval of Amendment No. 3 to Agreement No. 2004-1 with RBF Consulting to Add Additional Engineering Service for the Geer Road at Whitmore Intersection Improvement Project

negotiating with RBF Consulting to complete the design of this intersection improvement and recommends that Amendment No. 3 be approved in the amount of \$68,932.

The revised scope of work includes preliminary engineering consisting of research and field reviews and preparation of final design plans. RBF Consulting estimates that approximately \$117,000 is needed to complete the design. There is approximately \$48,000 remaining in the current contract. Therefore, approximately \$69,000 is needed to complete the design.

POLICY ISSUES:

The Board should consider if the recommended actions are consistent with its priorities of providing a safe community, a healthy community and a well-planned infrastructure system.

STAFFING IMPACT:

There is no staffing impact associated with this item.

RM:sr

L:\Roads\9708 - Geer Road at Whitmore\Design\Board Items\RBF Amend #3

AUDITOR-CONTROLLER BUDGET JOURNAL



Balance Type	Budget	
Category	Budget - Upload	
Source		
Currency	USD	
Budget Name	LEGAL BUDGET	
Batch Name		BO#
Journal Name		
Journal description	Transfer budget to Geer Rd at Whitmore Rd Project	
Period	JUL-07 to JUN-08	
Organization	Stanislaus Budget Org	

Line	Coding Structure						Debit		Credit		Description
	Fund 4	Org 7	Account 5	G/L Proj 7	Loc 6	Misc 6	incr appropriations decr est revenue	decr appropriations incr est revenue			
1	1102	40310	63280	9708	0	0.0	68,932.00				
2	1102	40310	63280	0	0	0.0		68,932.00			
3	1102	40310	46615	0	0	0.0	68,932.00				
4	1102	40310	46615	9708	0	0.0		68,932.00			
5						0					
6						0					
7						0					
8						0					
9						0					
10						0					
11						0					
12						0					
13						0					
14						0					
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16						0					
17						0					
18						0					
19						0					
20						0					
21						0					
22						0					
23						0					
24						0					
25						0					
Totals								137,864.00	137,864.00		

Transfer budget to Geer Rd at Whitmore Rd Project

Requesting Department	CEO	Auditors Office Only	
Sharon Andrews			
Signature	Signature	Prepared By	Admin Apprval (\$75K+)
4/14/08	4/15/08	Jon Flura	4/15/08
Date	Date	Date	Date

Contact Person & Phone Number

**AUDITOR-CONTROLLER
STANDARD JOURNAL VOUCHER**



BATCH SCREEN

Batch
 Period
 Description

JOURNAL SCREEN

Journal
 Category
 Balance Type A = Actual or E = Encumbrance
 Description
 Control Total

Line	Coding Structure							Debit	Credit	Description
	Fund 4	Org 7	Account 5	GL Proj 7	Loc 6	Misc 6				
1	6400	64100	85850	0	0	0	0.0	68,932.00		
2	1102	40310	46615	9708	0	0	0.0		68,932.00	
3							0.0			
4							0.0			
5							0.0			
6							0.0			
7							0.0			
8							0.0			
9							0.0			
10							0.0			
11							0.0			
12							0.0			
13							0.0			
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16							0.0			
17							0.0			
18							0.0			
19							0.0			
20							0.0			
21							0.0			
22							0.0			
23							0.0			
24							0.0			
25							0.0			
26							0.0			
27							0.0			
Totals								68,932.00	68,932.00	

Explanation: Transfer funds from RTIF to project account Geer Rd at Whitmore Intersection

Departments, Outside Auditors' Office		Auditors Office Only	
SHARON ANDREWS			
Prepared by 4/14/2008	Supervisor's Approval 4-14-08	Prepared By	Admin Approval (\$75K+) 4/15/08
Date	Date	Date	Date

COPY

RBF CONSULTING
AMENDMENT NO. 3 TO PROJECT AGREEMENT NO. 2004-1
For

Geer Road at Whitmore Avenue and Geer Road at Hatch Road Intersection
Improvements
(Traffic Congestion Relief Project "D")

This Amendment is made and entered into on _____, 2008, in the City of Modesto, State of California, by and between the County of Stanislaus ("COUNTY") and RBF Consulting, ("CONSULTANT"), for and in consideration of the promises, and the mutual promises, covenants, terms, and conditions, hereinafter contained.

- 1. The original Project Agreement No. 2004-1 is amended to revise Part B. Scope of Work to add additional service for the design of the Geer Road at Whitmore Intersection Improvement per letter proposal dated January 25, 2008.

COMPENSATION

The parties hereto acknowledge the maximum amount to be paid by the County for services provided shall not exceed the original contract amount plus the contract amount of \$68,931.72 including, without limitation, the cost of any subcontractors, consultants, experts or investigators retained pursuant to Paragraph 1.5 of the Master Agreement dated June 8, 2004.

- 1. All other terms and conditions of said Agreement shall remain in full force and effect.

In witness whereof, the parties have executed this Amendment effective on the date written above.

COUNTY OF STANISLAUS

RBF CONSULTING

By: _____
Matt Machado, Director
Department of Public Works

By: William J. Conroy
Vice-President

APPROVED AS TO FORM
~~Michael H. Krausnick,~~ JOHN P. DOERZING
County Counsel

By: Thomas E. Boze
Thomas E. Boze
Deputy County Counsel



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January 25, 2008
Revised

JN 35-100395.004

Mr. Robert Meleg, P.E.
STANISLAUS COUNTY
Department of Public Works
1716 Morgan Road
Modesto, CA 95358

Subject: Geer Road/ Whitmore Avenue Addendum #3

Dear Mr. Meleg,

In response to your request, RBF Consulting is pleased to present this addendum to complete the final design for the improvements of Geer Road at the intersection of Whitmore Avenue. As you will recall the County executed an agreement with RBF Consulting dated June 8, 2004 to design two intersections, Geer Road/Hatch Road Intersection and Geer Road/Whitmore Avenue Intersection. RBF completed the design for the Geer Road/Hatch Road project, however the Geer Road/Whitmore Avenue intersection design was stalled pending the relocation of the Turlock Irrigation District's electrical substation and right-of-way acquisition on adjoining parcels. TID is now proceeding with their plans to relocate the substation and the County has completed acquisition of the necessary right-of-way, allowing the County to finalize the Geer Road/Whitmore Intersection design.

The scope of work presented to the County May 17, 2004 to design the intersections remains the same. However, roughly 88% of the original budget has been exhausted completing the Geer Road/Hatch Road Intersection design and numerous geometric and in and out of scope studies to attempt to initiate the Geer Road/Whitmore Avenue Intersection design. Adding to the differential at this date is that 3 1/2 years has elapsed since the execution of the contract, and fees and expenses have risen.

Some of the specifics that should be noted within the new budget are:

- Budget under "Research and Investigation" line item is to have the designer review the intersection for changes, refresh her memory and provide County with exhibit showing encroachments into the right-of-way that require removal by the private property owner.
- Project meeting time is for four meetings.
- A retaining wall has been added to the scope. RBF will provide structural calculation to assure standard wall details are adequate.
- It is anticipated that 13 sheets will be required to complete the design for street improvements, 3 sheets for traffic signing and striping, one sheet for traffic signal and 40 cross sections will be illustrated on 100' intervals.

- Overland, Pacific, and Cutler, Inc. has requested to retain \$10,000.00 to cover outstanding invoices and miscellaneous services that may be requested over the next couple of months to finalize the acquisition phase of their services.

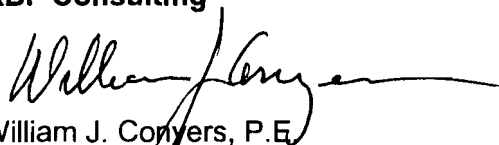
Enclosed for your review is "Exhibit "B", Contract Analysis" to complete the design of Geer Road/Whitmore Avenue Intersection less the balance remaining as of January 1, 2008 in the contract.

I have enclosed RBF's invoice for December's 2007 services. This invoice will allow you to review the balance remaining on the contract. Essentially all engineering dollars have been expended with only dollars remaining under appraisal and acquisition activities. Note there is also a balance of \$3,980.21 in the reimburseable expense line item under Addendum #1, which will be utilized if necessary. Our interpretation of Addendum #2 is that design fees from the original contract could have been used for construction support services for the Geer Road/Hatch Road Intersection Improvement project, if necessary, but no additional dollars was added to the contract.

In summary, this addendum requests an additional \$68,931.72 to complete the design of Geer Road/ Whitmore Road Intersection Improvement Project.

Should you have any questions, please do not hesitate to contact me 925-906-1460.

Sincerely,
RBF Consulting



William J. Conyers, P.E.
Vice-President
Public Works/Transportation Department

**Exhibit "B"
Contract Analysis
Addendum #3**

The Client agrees to compensate RBF for such services as follows. Billing will be monthly on a percent complete basis plus the direct cost of reimbursable expenses as indicated below. A management fee of 10% will be added to all sub-consultant and reimbursable expense fees.

<u>TASK</u>	<u>DESCRIPTION</u>	<u>THIS CONTRACT</u>	<u>BALANCE REMAINING</u>	<u>FEE ADDENDUM #3</u>
PHASE I PRELIMINARY ENG.				
1.01	Project Meetings Attendance	\$0.00	\$0.00	\$0.00
1.02	Research, Field Review	\$2,956.00	\$0.00	\$2,956.00
1.03	Topographic Surveys	\$0.00	\$0.00	\$0.00
1.04	Boundary Surveys	\$0.00	\$0.00	\$0.00
1.05	Storm Drainage Assessment	\$0.00	\$0.00	\$0.00
1.06	Intersection Traffic Volumes	\$0.00	\$0.00	\$0.00
1.07	Traffic Signal Warrants	\$0.00	\$0.00	\$0.00
1.08	Geometric Approval Drawings	\$0.00	\$0.00	\$0.00
1.09	Design Report	\$0.00	\$0.00	\$0.00
1.10	Geotechnical Investigation	\$0.00	\$0.00	\$0.00
1.11	IS/ND/MND	\$0.00	0.00	\$0.00
1.12	Project Management	\$0.00	\$0.00	\$0.00
	Subtotal	\$2,956.00	\$0.00	\$2,956.00
PHASE II FINAL DESIGN PLANS,				
2.01	Project Meeting Attendance	\$4,752.00	\$0.00	\$4,752.00
2.02	Street Improvement Plans	\$35,928.00	\$0.00	\$35,928.00
2.03	Design Cross Sections	\$4,560.00	\$0.00	\$4,560.00
2.04	Retaining Wall	\$7,500.00	\$0.00	\$7,500.00
2.05	Traffic Signal Lighting Plans	\$9,200.00	\$0.00	\$9,200.00
2.06	Traffic Signal Timing Plans	\$3,500.00	\$0.00	\$3,500.00
2.07	Traffic Sign and Striping Plans	\$7,848.00	\$0.00	\$7,848.00
2.08	Dry Utility Coordination	\$4,476.00	\$0.00	\$4,476.00
2.09	Legal Descriptions & Exhibits	\$0.00	\$0.00	\$0.00
2.10	SWPPP	\$0.00	\$0.00	\$0.00
2.11	Final Quantity & Cost Est.	\$3,472.00	\$0.00	\$3,472.00
2.12	Specifications	\$5,360.00	\$1,745.13	\$3,614.87
2.13	Appraisal Activity	\$0.00	\$11,280.68	(\$11,280.68)
2.14	Acquisition Services	\$10,000.00	\$23,138.47	(\$13,138.47)
2.15	Project Management	\$5,544.00	\$0.00	\$5,544.00
	Subtotal	\$102,140.00	\$36,164.28	\$65,975.72
	Subtotal Professional Fees	\$105,096.00	\$36,164.28	\$68,931.72
	Reimbursable Expense	11,771.71	11,771.71	\$0.00
	Total Fees	\$116,867.71	\$47,935.99	\$68,931.72

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December 21, 2007

Project No: 35-100395.001

Invoice No: 7110976

Bob Meleg
Stanislaus County
1716 Morgan Road
Modesto, CA 95358
USA

Project 35-100395.001 Stanislaus/intersection Improvements
PROGRESS BILLING NO. 29

Project Manager: Bill Conyers (925) 906-1460

Project Accountant: Germaine Leong (925) 906-1460

Professional consulting services rendered pursuant to the Signed Agreement dated June 8, 2004 for the Traffic Congestion Relief Project near the City of Modesto, Stanislaus County, California.

Professional Services: November 1, 2007 to November 30, 2007

Task	Fee	Percent Complete	Billed to Date	Current
Project Meetings/Cons. - Ph I	5,200.00	100.00	5,200.00	0.00
Research, Investigation & Field Rvw	3,400.00	100.00	3,400.00	0.00
Topographic Surveys	8,800.00	100.00	8,800.00	0.00
Boundary Surveys	11,050.00	100.00	11,050.00	0.00
Storm Drainage Assessment	4,000.00	100.00	4,000.00	0.00
Intersection Traffic Volumes	3,000.00	100.00	3,000.00	0.00
Traffic Signal Warrants Analysis/Rpt	6,400.00	100.00	6,400.00	0.00
Geometric Approval Drawings	11,500.00	100.00	11,500.00	0.00
Design Report	3,500.00	100.00	3,500.00	0.00
Geotechnical Investigation	14,200.00	100.00	14,200.00	0.00
IS/ND/MND	17,800.00	100.00	17,800.00	0.00
Project Management - Phase I	2,650.00	100.00	2,650.00	0.00
Project Meetings/Cons. - Ph II	6,850.00	100.00	6,850.00	0.00
Street Improvement	37,500.00	100.00	37,500.00	0.00
Design Cross Sections	7,650.00	100.00	7,650.00	0.00
Storm Drain Improvements	8,600.00	100.00	8,600.00	0.00
Traffic Signal/Intrsection Lightng Plans	13,200.00	100.00	13,200.00	0.00
Traffic Signal Timing Plans	4,000.00	100.00	4,000.00	0.00
Traffic Signing/Striping Plans	10,200.00	100.00	10,200.00	0.00
Dry Utility Coordination	5,250.00	100.00	5,250.00	0.00

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Project	35-100395.001	Stanislaus/intersection Improvements		Invoice 7110976	
Legal Descriptions/Exhibits		17,500.00	100.00	17,500.00	0.00
SWPPP		3,500.00	100.00	3,500.00	0.00
Final Quantity/Cost Estimates		3,000.00	100.00	3,000.00	0.00
Specifications		6,000.00	70.9145	4,254.87	0.00
Appraisal Activity		44,000.00	74.3621	32,719.32	1,116.50
Acquisition Services		36,700.00	36.9524	13,561.53	0.00
Project Management - Phase II		5,250.00	100.00	5,250.00	0.00
Total Fee		300,700.00		264,535.72	1,116.50
			Previous Fee Billing	263,419.22	
			Total Fee		1,116.50

Billing Limits	Current	Prior	To-Date	
Expenses	0.00	8,208.50	8,208.50	
Limit			19,980.21	
Remaining			11,771.71	
			Total this Invoice	\$1,116.50