

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

DEPT: Public Works

BOARD AGENDA # *C-2

Urgent ☐

Routine ☒

AGENDA DATE October 27, 2015

CEO Concurs with Recommendation YES ☐ NO ☐
(Information Attached)

4/5 Vote Required YES ☐ NO ☒

SUBJECT:

Approval of an Amendment to the Professional Design Services Master Agreement with Harris & Associates for On-Call Construction Management Services

STAFF RECOMMENDATIONS:

1. Approve Amendment No. 1 to the Professional Design Services Master Agreement with Harris & Associates in the amount of \$500,000.
2. Authorize the Public Works Director to sign the amendment.

FISCAL IMPACT:

The Public Works Department's project schedule reflects the need for continued assistance in construction management services through May 2017, which could yield costs up to approximately \$500,000. Amendment No. 1 will increase the Agreement with Harris & Associates from \$1,000,000 to \$1,500,000, and extend the contract term to May 13, 2017. Funds for construction management services will be authorized at each project's Board approval or award phase of the construction contract. Funding is available in the Adopted Final Budget for Fiscal Year 2015-2016.

BOARD ACTION AS FOLLOWS:

No. 2015-505

On motion of Supervisor Chiesa, Seconded by Supervisor Monteith
and approved by the following vote,
Ayes: Supervisors: O'Brien, Chiesa, Monteith, DeMartini, and Chairman Withrow
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:


CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval of an Amendment to the Professional Design Services Master Agreement with Harris & Associates for On-Call Construction Management Services

DISCUSSION:

Public Works staff continues to experience instances where several projects are under construction simultaneously, leaving more than one project with no staff coverage. To avoid missing delivery dates and the possible loss of State and Federal funding, it is imperative that the construction division obtains assistance to manage the department's projects in the construction phase. Given the number of future projects coming in the near future, the division continues to be in need of construction management services from Harris & Associates.

In anticipation of construction projects planned in fiscal years spanning from 2014 through 2017, the Public Works Department publicly posted a Request for Proposal (RFP) in February 2014 for on-call construction management services. On May 13, 2014 the Board of Supervisors approved a Master Agreement for Harris & Associates to perform on-call construction management services for Public Works. This agreement, which will expire on May 13, 2016, allows an extension period of 1 year.

During the next eighteen months, the construction division needs Harris & Associates to provide construction management services for various roadway improvement projects for the division, the Public Works Vehicle Maintenance Shop and Administrative Building project, and a Parks Department project. This need is being driven by the following:

- The anticipated construction of several Public Works projects over the next year and a half, including the Regional Surface Transportation Program – Phase J and Phase K roadway improvement projects, three canal bridge replacement projects, and an urban slurry seal project;
- The Vehicle Maintenance Shop and Administrative Building project construction management, at the cost of \$614,164; and,
- The management of the Modesto Reservoir Regional Park Marina Fuel Station Upgrade project for the Parks Department.

These projects will cause the current 3-year master agreement budget threshold to be exceeded.

POLICY ISSUES:

The recommended actions support the Board's priorities of providing A Safe Community, A Healthy Community and A Well-Planned Infrastructure System by ensuring quality work is performed on all Public Works Projects.

Approval of an Amendment to the Professional Design Services Master Agreement with
Harris & Associates for On-Call Construction Management Services

STAFFING IMPACT:

Existing Public Works staff will manage and oversee the services of the construction management firm.

CONTACT PERSON:

Matt Machado, Public Works Director. Telephone: (209) 525-4153.

ATTACHMENTS:

Amendment No. 1 – Harris & Associates

STANISLAUS COUNTY

First Amendment to Professional Design Services Master Agreement

This Amendment is made and entered into this 20th day of October, 2015, 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 mutual covenants and conditions contained herein.

WHEREAS, on May 13, 2014, the Stanislaus County Board of Supervisors awarded a Professional Design Services Master Agreement ("Agreement") to Consultant, in the amount of One Million Dollars (\$1,000,000), for on-call construction management services for Public Works construction projects from May 13, 2014 to May 13, 2017;

WHEREAS, an increase of \$500,000 to the Master Agreement is necessary to cover construction management services to current or upcoming projects assigned to Harris & Associates;

\$ 1,000,000	Agreement
<u>\$ 500,000</u>	First Amendment
\$1,500,000	Total

WHEREAS, the current fee schedule approved by the Board on May 13, 2014 shall remain in effect, attached hereto and made a part of this Amendment; and,

NOW THEREFORE, the parties agree as follows:

1. Section 2.1 of the Agreement is amended to read as follows:

Compensation. For each task or project let under this Agreement Consultant shall be paid in accordance with the fee schedule set forth in this First Amendment, attached hereto and made a part of this Agreement (the "Fee Schedule"). Consultant will be compensated on a time and materials basis, based on the hours worked by the Consultant's employees or subcontractors at the hourly rates specified in the Fee Schedule. Fee Schedule rates shall include direct salary costs, employee benefits, and overhead. The rates stated in the Fee Schedule are not adjustable during the term of this Agreement. Consultant's compensation under this Agreement shall in no case exceed One Million Five Hundred Thousand Dollars (\$1,500,000) over the Thirty-Six (36) Month term of this Agreement. The County may retain ten percent of all periodic or progress payments made to the Consultant until completion and acceptance of all work tasks and County shall have right to withhold payment from Consultant for any unsatisfactory service until such time service is performed satisfactorily.

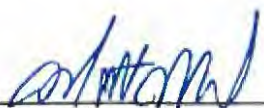
2. All other terms and conditions of the Agreement shall remain in full force and effect.

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

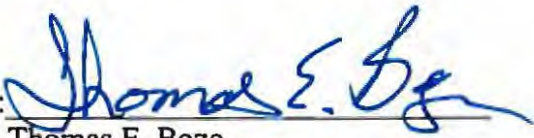
By: _____


Chris Dunne, Vice President
Practice Leader, Construction Management

APPROVED AS TO FORM

John P. Doering
County Counsel

By: _____


Thomas E. Boze
Assistant County Counsel

Section 5: Estimated Billing Rates

Harris & Associates' Range of Hourly Rates

Applicable to "On-Call Construction Management/Construction Inspection Services for Future Projects" for Stanislaus County

Effective January 1 - December 31, 2014

Construction Management	Hourly Rate
Project Directors	\$210-240
Project Managers	\$150-210
Construction Managers	\$125-220
Resident Engineers/Structure Representatives	\$120-210
Construction Engineers	\$110-200
Scheduling Engineers	\$110-190
Cost Engineers	\$110-190
Inspectors*	\$100-175
Technicians	\$ 90-160
Administration	\$ 75-125

Notes: Unless otherwise indicated in the cost proposal, hourly rates include most direct costs such as travel, equipment, computers, communications and reproduction (except large quantities such as construction documents for bidding purposes).

*Inspectors working in the State of California are subject to the Prevailing Wage Rates established for that area.

All subconsultant charges are subject to a 10% markup.