

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

DEPT: Public Works

BOARD AGENDA #: \*C-4

AGENDA DATE: June 28, 2016

**SUBJECT:**

Approval of New Professional Design Service Agreements with Nolte Vertical Five for the Tegner Road Bridge over TID Lateral #5, the SR 99/SR 219 (Kiernan Avenue) Interchange, and the Shiells Road Bridge over CCID Main Canal Projects; LDA Partners for the Vehicle Maintenance Shop and Administrative Building Project; Dokken Engineering for the Santa Fe Avenue Bridge over Tuolumne River Project; and Mark Thomas Company for the Claribel Road at Roselle Avenue Traffic Signals Project

**BOARD ACTION AS FOLLOWS:**

No. 2016-344

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

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

Noes: Supervisors: None

Excused or Absent: Supervisors: Chairman Monteith

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

CB

BOARD AGENDA #: \*C-4

AGENDA DATE: June 28, 2016

CEO CONCURRENCE: \_\_\_\_\_

4/5 Vote Required: Yes  No

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**STAFF RECOMMENDATIONS:**

1. Approval to enter into Professional Design Service Agreements to maintain existing engineering services with Nolte Vertical Five for the Tegner Road Bridge over TID Lateral #5, the SR 99/SR 219 (Kiernan Avenue) Interchange, and the Shiells Road Bridge over CCID Main Canal Projects; LDA Partners for the Vehicle Maintenance Shop and Administrative Building Project; Dokken Engineering for the Santa Fe Avenue Bridge over Tuolumne River Project; and Mark Thomas Company for the Claribel Road at Roselle Avenue Traffic Signals Project.
2. Authorize the Director of Public Works to execute the agreements and to sign any necessary documents, including any amendments to the agreements not to exceed 10% of the original contract amount.
3. Authorize the Director of Public Works to take any appropriate action necessary to carry out the purpose and intent of these recommendations.

**DISCUSSION:**

The subject projects are existing projects that were previously approved by the Board of Supervisors for scope, schedule, and cost. Public Works staff made a recent discovery that the original Professional Design Services Agreements for these projects have expired. Since there is no way to amend an expired contract to extend the contract term, it is necessary to execute brand new agreements that specify new expiration dates. The new agreements do not introduce additional scope of work or any additional budget. Executing new agreements will simply allow Public Works staff to continue delivering the projects in a timely fashion and will allow utilization of the remaining balance of the existing project budgets. At this time, the existing budgets for each project are sufficient to complete the contemplated scope of work.

This oversight on the expiration dates occurred as there is conflicting contract language between the Professional Design Services Agreement and the Addendum to the Professional Design Services Agreements regarding the contract expiration date. The conflicting language caused confusion at the staff level. The Agreement states that the contract shall expire when the work is completed, but the Addendum states a specific expiration date. The Addendum has

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been an additional attachment to the main design services agreement over the past 5 to 7 years to add required State and Federal contract language to the County agreement. This additional language was added to ensure compliance with State and Federal requirements and to maintain eligibility for State and Federal transportation funding.

To mitigate the conflicting language, prevent confusion on future projects, and to maintain compliance with State and Federal requirements, Public Works staff worked diligently with County Counsel to prepare a new Professional Design Services Agreement that has consolidated, clarified, and simplified the previous Agreement and Addendum language. This new agreement will satisfy all Federal, State, and local requirements without needing the Addendum.

New agreements need to be executed with the following consultants and for the specified projects:

- Nolte Vertical Five - Tegner Road Bridge over TID Lateral #5 - Previously approved budget of \$305,632.66.
- Nolte Vertical Five - Shiells Road Bridge over CCID Main Canal - Previously approved budget of \$388,766.45.
- Nolte Vertical Five - SR 99/SR 219 (Kiernan Avenue) Interchange - Previously approved budget of \$4,659,516.81.
- LDA Partners - Vehicle Maintenance Shop and Administrative Building - Previously approved budget of \$1,083,000.
- Dokken Engineering - Santa Fe Avenue Bridge over Tuolumne River - Previously approved budget of \$932,890.
- Mark Thomas & Company - Claribel Road at Roselle Avenue Traffic Signals - Previously approved budget of \$434,903.

**POLICY ISSUE:**

Public Contract Code (PCC) Section 22032 requires Board of Supervisors' approval for all contracts exceeding \$175,000. The original values of these agreements exceed \$175,000.

**FISCAL IMPACT:**

Funding is available in the Public Works Road Projects Fiscal Year 2015-2016 and 2016-2017 budgets to complete the previously mentioned projects.

**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 ensuring project delivery in a timely and fiscally responsible manner.

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**STAFFING IMPACT:**

Existing Public Works staff members are overseeing these projects.

**CONTACT PERSON:**

Matt Machado, Public Works Director

Telephone: (209) 525-4153

**ATTACHMENT(S):**

1. Professional Design Services Agreement with Nolte Vertical Five for Tegner Road Bridge over TID Lateral #5
2. Professional Design Services Agreement with Nolte Vertical Five for Shiells Road Bridge over CCID Main Canal
3. Professional Design Services Agreement with Nolte Vertical Five for SR 99/SR 219 (Kiernan Avenue) Interchange
4. Professional Design Services Agreement with LDA Partners for Vehicle Maintenance Shop and Administrative Building
5. Professional Design Services Agreement with Dokken Engineering for Santa Fe Avenue Bridge over Tuolumne River
6. Professional Design Services Agreement with Mark Thomas & Company for Claribel Road at Roselle Avenue Traffic Signals

ATTACHMENTS AVAILABLE  
FROM YOUR CLERK