



Item No. 11 Town of Atherton

CITY COUNCIL STAFF REPORT – CONSENT AGENDA

**TO: HONORABLE MAYOR AND CITY COUNCIL
GEORGE RODERICKS, CITY MANAGER**

**THROUGH: MICHAEL KASHIWAGI
COMMUNITY SERVICES DIRECTOR**

FROM: MARTY HANNEMAN, CITY ENGINEER

DATE: OCTOBER 19, 2016

**SUBJECT: ADDITIONAL SERVICE REQUEST FOR CONSTRUCTION
MANAGEMENT – MARSH ROAD CHANNEL RETAINING WALL
REPAIR PROJECT**

RECOMMENDATION

Direct the City Attorney to prepare and the City Manager to execute an amendment to the professional services agreement with Ghirardelli Associates for a not to exceed fee of \$33,664.20 to perform construction inspection and management services necessary for the Marsh Road Retaining Wall Repair Project.

BACKGROUND

The Town undertook the Marsh Road Retaining Wall Repair Project to preserve the structural integrity and safety of the road and to allow storm water to continue to flow out of Atherton through the Atherton Channel. During construction, this project has required daily oversight and quality control inspections which exceed the capacity of Atherton staff. Accordingly, staff utilized the skills and expertise of the Construction Management firm, Ghirardelli and Associates to administer the construction contract and to provide the daily inspections to ensure a quality project.

On February 17, 2016, Council directed issuance of a Request for Proposals (RFP). The RFP was advertised on the Town's website, on additional industry sites and through direct solicitation of area firms known to specialize in this industry. Proposals were due on March 14, 2016, providing approximately a four-week response period. On April 20, 2016, Council awarded a contract with Ghirardelli and Associates in the amount of \$332,523.80. Ghirardelli's scope of services included tasks such as coordination of the traffic closure and detour, providing quality assurance, documentation of construction issues and progress, ensuring compliance with permitting agency requirements, reviewing and making recommendations on change order proposals, developing a detailed punch list and ultimately recommending acceptance of the project as complete.

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The project began construction in late May 2016 and is now complete. The remaining work is contract administration and the project close out process.

FINDINGS/ANALYSIS

The initial design for the Atherton Channel Repair project required traffic management along Marsh Road between Middlefield Road and Fair Oaks Avenue. A change order approved by the Council added sewer lining repairs done cooperatively with the West Bay Sanitation District. There was an increase in construction management and inspections due to the sewer work and the required increased traffic control measures. There was an overall increase in safety inspections, traffic placard control and monitoring of the site along the detour routes. In addition, there was an increase in construction inspections and management due to flooding of the channel during construction from a break in a water line upstream from the Project, owned by the Menlo Park Water Department. Given the timing and necessary response, this increased in construction management costs were authorized and previously agreed upon by Town Engineer.

Per an agreement with the West Bay Sanitation District, the Town secured an administration fee from West Bay for the added costs associated with Ghirardelli's work. In addition, The Town will process a claim with the Menlo Park Water Department to be reimbursed for the costs associated with the water line break.

Ghirardelli Associates submitted a proposal to perform these services for a not-to exceed fee of \$33,664.20. Town staff recommends approval and the work scope is consistent with the additional work performed. The scope of services and not-to-exceed fee are provided as attachments to this report. The new contract limit will be raised from the existing amount of \$332,523.80, to \$366,188.00

POLICY FOCUS

These amendments are consistent with the project's overall approval and expeditious completion to ensure limited impact on the community and timely completion. BCA, Ghirardelli and Granite Construction were instrumental in making this project a success. Because of the timing of the work and necessary project management decisions, staff authorized the work to be completed during the course of the project.

There are no significant policy issues related to approval of this construction management contract.

FISCAL IMPACTS

The proposed contract amendment is on a time and materials basis with a not-to-exceed fee of \$33,664.20. This work is budgeted and included in the approved 2015/16 Capital Improvement Program under Drainage-Marsh Road Retaining Wall Repair Project, and includes adequate funding for this contract.

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PUBLIC NOTICE

Public notification was achieved by posting the agenda, with this agenda item being listed, at least 72 hours prior to the meeting in print and electronically. Information about the project is also disseminated via the Town's electronic News Flash and Atherton Online. There are approximately 1,200 subscribers to the Town's electronic News Flash publications. Subscribers include residents as well as stakeholders – to include, but be not limited to, media outlets, school districts, Menlo Park Fire District, service providers (water, power, and sewer), and regional elected officials. In addition, staff has met with the Atherton Police Department, Menlo Park Fire Department, California Highway Patrol, County of San Mateo and the cities of Redwood City and Menlo Park to discuss impacts of the proposed road closure and detour.

ATTACHMENTS

Attachment 1: Ghirardelli Associates Scope of Work & Fee

**AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT BY AND
BETWEEN THE TOWN OF ATHERTON AND GHIRARDELLI ASSOCIATES**

This 1st Amendment to the Professional Services Agreement by and between the Town of Atherton ("Town") and Ghirardelli Associates ("Consultant") for Construction and Traffic Management ("1st Amendment") is entered into as of the __ day of _____, 2016, ("Effective Date"), by and between Town and Consultant.

RECITALS

- A. Town and Consultant are parties to that certain Professional Services Agreement for Construction and Traffic Management dated _____ ("Agreement").
- B. Detour Traffic Management, Build Local Agency Sewer, Channel Flooding and lane closure
- C. Town and Consultant now desire to enter into this 1st Amendment to provide for the additional services as described below.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing Recitals and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, the parties hereby amend the Agreement as follows:

- 1. Exhibit A, Scope of Services.
 - a. Detour required additional Traffic Management, which included additional monitoring, placard control and safety inspections than originally proposed.
 - b. Change order to build the local agency sewer line during the Marsh Road detour which increased construction management and inspection.
 - c. Channel flooding from local water company increased construction inspection and cleanup management of the surrounding areas to maintain project schedule.
- 2. Exhibit B, Compensation. For the additional construction management and traffic management, the approximate increase in cost for the Project Manager, Resident Engineer, and Construction Inspectors totals \$33,664.20.
- 3. Agreement in Effect. The parties acknowledge and agree that the Agreement, except as amended by this 1st Amendment, remains unmodified and in full force and effect in accordance with its terms.
- 4. Counterpart Signatures. This 1st Amendment may be signed in multiple counterparts which, when signed by all parties, shall constitute a binding agreement.

IN WITNESS THEREOF, the parties have executed this 1st Amendment as of the Effective Date.

TOWN OF ATHERTON:

By: _____ / _____
George Rodericks, City Manager (Date)

CONSULTANT:

By: _____ / _____
Name: _____ (Date)
Title: _____

ATTEST:

City Clerk

By: _____ / _____
Name: _____ (Date)
Title: _____

APPROVED AS TO FORM:

City Attorney
Amendment to -psa.doc



September 8, 2016

Theron Roschen
Town Engineer
Town of Atherton
91 Ashfield Road
Atherton, CA 94027

RE: Increase budget request for the Marsh Road Channel Repair Project. Project No. 56005

Theron:

The project at Marsh Road Channel Repair has been a great project, but not without a few changes, and issues. The original scope of the project was increased and has required us, Ghirardelli Associates, Inc. to increase our Construction Management work load in accordance to complete the project. Below is the justification for the extra costs, and time involved in the providing the construction administration services necessary to complete the project.

The following project issues, changes, and problems increased the scope of the project.

- The detour required numerous amount of monitoring, placard control, and safety inspections. These items were added to the project at Mary Grace Hooligan's direction.
- The additional of the change order to build the local agency sewer line during the detour of Marsh Road. The work increased the construction management and inspection of our staff. This work was authorized by Mary Grace Hooligan.
- The flooding of the channel during construction from the local water company also increased the construction inspection, and management to clean up the surrounding areas, and get the project back on schedule. Mary Grace Hooligan authorized this work.
- The limitation of Granite Construction to close lanes after 3 PM, after the detour was completed. This increased the overall construction management and inspection requirements.

We are requesting an additional \$33,664.20 in budget to complete the project. This increase was previously agreed upon with Mary Grace Hooligan. Please see the attached spreadsheet for the breakdown.



Town of Atherton, Marsh Road Retaining Wall Repair

Original Budget

Classification	Hourly Rate	Hours			Total Hours	Original	Added		
		Straight	Precon	Construction		Closeout	Amount	Hours	Amount
Project Manager/Dan Brodnik	\$ 203.65	20		80	0	100	\$ 20,365.00	20	\$ 4,073.00
Resident Engineer/ Thanh Dickerson	\$ 194.74	80		740	80	900	\$ 175,266.00	120	\$ 23,368.80
Construction Inspectors	\$ 155.56			880		880	\$ 136,892.80	40	\$ 6,222.40
							\$ 332,523.80		\$ 33,664.20

If you have any questions please call regarding this request.

Sincerely,

Dan Brodnik

Project Manager