



Monterey County

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

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Matter Type: General Agenda Item

- a. Approve Amendment No. 7 to Professional Services Agreement No. A-11432 with Biggs Cardosa Associates, Inc. to continue to provide additional tasks associated with completion of the Plans, Specifications and Estimate, environmental permitting, bidding assistance; and to include Design Support during Construction for the Nacimiento Lake Drive Bridge Replacement at San Antonio River, County Bridge No. 449, State Bridge No. 44C-0009, Project No. 2202, Federal Aid Project No. STPLZ-5944 (040), to increase the not to exceed amount by \$629,000 for a total amount not to exceed \$1,444,080, and to extend the expiration date for approximately thirty-nine (39) additional months through December 31, 2022, for a revised term from February 9, 2009 to December 31, 2022; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 7 to Professional Services Agreement No. A-11432 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

RECOMMENDATIONS:

It is recommended that the Board of Supervisors:

- a. Approve Amendment No. 7 to Professional Services Agreement No. A-11432 with Biggs Cardosa Associates, Inc. to continue to provide additional tasks associated with completion of the Plans, Specifications and Estimate, environmental permitting, bidding assistance; and to include Design Support during Construction for the Nacimiento Lake Drive Bridge Replacement at San Antonio River, County Bridge No. 449, State Bridge No. 44C-0009, Project No. 2202, Federal Aid Project No. STPLZ-5944 (040), to increase the not to exceed amount by \$629,000 for a total amount not to exceed \$1,444,080, and to extend the expiration date for approximately thirty-nine (39) additional months through December 31, 2022, for a revised term from February 9, 2009 to December 31, 2022; and
- b. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 7 to Professional Services Agreement No. A-11432 and future amendments that do not significantly alter the scope of work or change the approved Agreement amount.

SUMMARY:

The Nacimiento Lake Drive Bridge Replacement Project (Project), County Bridge No. 449 will construct a new bridge on Nacimiento Lake Drive over the San Antonio River. The existing bridge is one (1) lane and was determined to be seismically deficient and is programmed to be replaced under the State Seismic Retrofit Program. Biggs Cardosa Associates, Inc. (BCA) was contracted to perform the Project's environmental documentation and the design plans, estimate, and specifications (PS&E) under a Professional Services Agreement (PSA) on July 22, 2009. The original PSA included compensation to BCA in the amount of \$646,270. A subsequent Amendment No. 2 added the task of conducting an Environmental Impact Report (EIR) after it was determined an EIR was

required for the existing bridge removal. Amendment No. 2 added the amount of \$168,810 for a total not to exceed amount of \$815,080 for the PSA. All other amendments extended the PSA term expiration date. Amendment No. 7 will extend the PSA term expiration date to December 31, 2022 and provide adequate funds for BCA's PSA with Monterey County to complete the project design to construction and for design support during construction. The California Department of Transportation (Caltrans) added changes after plans were 95% complete. As a result, services are needed to complete the final design of the Project. Amendment No. 7 will add \$432,000 for Final Design and \$197,000 for Design Support During Construction, which would increase the amount of the Agreement by \$629,000 for a total not to exceed amount of \$1,444,080. The Design Support During Construction is being included with this contract amendment request to promote continuity of thought and intent of the Project designed. This work was not part of the original contracted services. The industry convention is to retain the same consulting firm which designed the project to provide support service during construction of the Project. Staff recommends contracting with BCA to include support services during construction.

DISCUSSION:

The Project is located southwest of the community of Bradley and east of Lake San Antonio, in southern Monterey County. The Project will replace the existing one-lane Nacimiento Lake Drive Bridge with a new two-lane bridge. The existing bridge was determined to be seismically deficient and is programmed to be replaced under the State Seismic Retrofit Program.

The Project will include the construction of a concrete box girder bridge on Nacimiento Lake Drive over the San Antonio River. The total Project length is 3,100 feet long and consists of the new bridge at 267 feet long and approach roadway of 2,833 feet. The Project will include the construction of two (2) twelve-foot lanes with four-foot shoulders.

In 2016, a request for additional Highway Bridge Program (HBP) funds to complete the Project design was denied by Caltrans. It was decided by RMA to stop work on the design of the Project due to lack of funding at that time. It was also decided to continue with the right-of-way (ROW) acquisition which was funded by Caltrans and to finish the design for the Project after completion of the ROW acquisition. Additional funding was obtained for these services.

The Final Design Phase of the Project had been pending completion of the ROW acquisition purchases and the approval of the ROW certification which was submitted to Caltrans. The ROW Phase of the Project was completed in the spring of 2019 and the ROW certification was approved by Caltrans in July 2019.

Measure X funds have been obtained to provide funding to complete the final design for the Project. Funding for the Design Support for Construction portion of Amendment No. 7 will be provided by Federal HBP funding and State Seismic Retrofit funding after the approval of Construction funds by Caltrans for the Project.

After a 95% Plan and Estimate Review, Caltrans issued a Memorandum to the County on January 16, 2019 (Memorandum) which required changes to the design criteria of the Project and included changes to the seismic design, bridge barrier rail, and additional updates to the PS&E. Amendment

No. 7 is necessary due to the substantial changes to the requirements by Caltrans to the design of the Project. Caltrans oversees the HBP and the changes to the design of the Project are necessary as a condition of the HBP funding.

The changes required by Caltrans and to complete the final design will require additional time and funding for the PSA with BCA for the Project. Amendment No. 7 will allow BCA to address Caltrans' recommendations to the design criteria for the final design of the PS&E which were not included in the original PSA or its subsequent amendments. All remaining funding for the PSA has been exhausted. Without the additional funding provided in Amendment No. 7 to address Caltrans' recommendations, BCA would be unable to complete the Project design. All previously expended HBP and Seismic Retrofit funding in the amount of \$1,500,000, which was used to date for preliminary engineering, California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) approvals, and additional ROW for the Project, would require repayment by Monterey County to HBP and State Seismic Match funding.

With approval of the additional funding, BCA would be authorized to finalize the PS&E and obtain Caltrans' PS&E certification to allow for solicitation of bids for construction of the Project. It is anticipated that the Final Design of the PS&E will be complete by February 2020 with advertisement for the Project in early 2020. Construction of the Project is anticipated to begin in the summer of 2020.

Amendment No. 7 will increase the total not to exceed contract amount by \$432,000 to complete the Final Design of the Project and \$197,000 for Design Support During Construction for a total amount of \$629,000. It will increase the existing PSA total not to exceed amount of \$815,080 by \$629,000 for a total amount not to exceed of \$1,444,080. It will also extend the expiration date from September 30, 2019 for thirty-nine (39) additional months to December 31, 2022, for a revised term from February 9, 2009 to December 31, 2022.

Approval of Amendment No. 7 to Professional Services Agreement (PSA) No. A-11432 with BCA will allow the RMA to retain and compensate BCA to provide additional tasks associated with completion of the Final Design of the PS&E, environmental permitting, bidding assistance, and to include Design Support During Construction of the Project. The Design Support During Construction is being included with this contract amendment request. It was not part of the original contracted services. The industry convention is to retain the same consulting firm which designed the project to provide support service during construction of the Project. This industry convention promotes continuity of thought and intent of what is designed. Usually, this request would come separately and closer to the construction award phase, but due to the timing of this request for more services with this consultant, it is more efficient to include the Design Support During Construction with this amendment request. Processing proposed Amendment No. 7 to include Design Support for Construction services is more efficient for the procurement process and for the County.

Attachment K provides a summary of the PSA to date. Attachment L provides a summary of the PSA annual expenditures and balance.

OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel-Risk Management and Auditor-Controller's Office have reviewed and approved Amendment No. 7 as to form and legality, and fiscal provisions, respectively.

FINANCING:

The total estimated Project cost, including engineering design, environmental, ROW, utilities, and construction is \$9,810,295. Expenditures incurred for this PSA from Fiscal Year (FY) 2008-09 through FY 2018-2019 total \$815,080. With the approval of Amendment No. 7, funds in the amount of \$629,000 (\$432,000 for Final Design and \$197,000 for Construction) will allow BCA to complete the Final Design of the PS&E for the Project.

The Project is largely funded by the Federal Highway Administration (FHWA) HBP funds in the amount of \$7,748,095, and State Seismic funds in the amount of \$874,857. The balance will be funded through the Road Fund (e.g., Measure X). There are sufficient appropriations adopted in the FY 2019-20 Road Fund 002, Appropriations Unit RMA 012 Budget to finance Amendment No. 7.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The Project will replace the existing seismically deficient Project with a new two (2) lane bridge that meets Caltrans Design Standards. Also, as part of the proposed Project, the bridge approaches will be reconstructed and thereby improve the pavement condition of this section of Nacimiento Lake Drive.

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Douglas Poochigian, P.E., Civil Engineer, (831) 755-4888

Reviewed by: Randell Ishii, M.S., P.E., Chief of Public Works

Approved by: Carl P. Holm, AICP, RMA Director

Attachments:

- Attachment A - Amendment No. 7 to PSA
- Attachment B - Amendment No. 6 to PSA
- Attachment C - Amendment No. 5 to PSA
- Attachment D - Amendment No. 4 to PSA
- Attachment E - Amendment No. 3 to PSA
- Attachment F - Amendment No. 2 to PSA
- Attachment G - Amendment No. 1 to PSA
- Attachment H - PSA
- Attachment I - Project Budget
- Attachment J - Location Map
- Attachment K - Summary of PSA
- Attachment L - Summary of PSA Annual Expenditures and Balance

(Attachments on File with the Clerk of the Board)