



## Board Report

---

**File #:** WRAA 17-012, **Version:** 1

---

Approve the Professional Services Agreement with McMillen Jacobs Associates (“MJA”) in an amount not to exceed \$4,600,789, for a term of two years with \$2,000,000 being expended in this FY 2016-17; with the option to extend the Agreement for three (3) additional one (1) year periods for a maximum agreement of five (5) years, for the design of the Interlake Tunnel and Spillway Modification Project; and authorize the General Manager to execute the Agreement; and, authorize the General Manager to amend the Agreement up to three (3) times, provided the amendments do not increase the contract amount or significantly change the scope of the Project.

**RECOMMENDATION:**

It is recommended that the Monterey County Water Resources Agency Board of Supervisors:

Approve the Professional Services Agreement with McMillen Jacobs Associates (“MJA”) in an amount not to exceed \$4,600,789, for a term of two years with \$2,000,000 being expended in this FY 2016-17; the option to extend the Agreement for three (3) additional one (1) year periods for a maximum agreement of five (5) years, for the design of the Interlake Tunnel and Spillway Modification Project; authorize the General Manager to execute the Agreement; and, authorize the General Manager to amend the Agreement up to three (3) times, provided the amendments do not increase the contract amount or significantly change the scope of the Project.

**SUMMARY/DISCUSSION:**

On December 9, 2014, the Monterey County Water Resources Agency Board of Supervisors:

- a) Authorized the Monterey County Water Resources Agency to proceed with the Interlake Tunnel Project, including spillway modifications as a key component of the Interlake Tunnel Project;
- b) Authorized the General Manager of the Agency to prepare and issue Requests for Proposal for geotechnical and final design engineering; permitting and environmental approval; and, financing plan preparation and implementation;
- c) Authorized proceeding with negotiation of a funding agreement between Monterey County and the Monterey County Water Resources Agency for an amount not to exceed \$2.5 million to perform geotechnical and final design engineering, permitting and environmental approval, financing plan preparation and implementation, and, program management services for the Interlake Tunnel Project; and,
- d) Authorized Agency management and the County Counsel to negotiate a Project Labor Agreement.

The Request for Proposal (“RFP”) for design services (based on a qualification based selection process) for the Interlake Tunnel and Spillway Modification Project, was issued on March 30, 2015. Responses to the RFP were due on June 5, 2015. The RFP Review Committee evaluated and ranked the five submittals. The top three proposals were selected for interview. Interviews were held for these three firms on August 10, 2015. The top rated design team was identified and contract negotiations with that firm began. That firm was non responsive to requests for information during contract negotiations and so negotiations were terminated. Therefore, the Agency began negotiations with the next qualified team, McMillen Jacobs Associates. MJA has been very responsive during negotiations. MJA has also provided innovative alternatives to move the Interlake Tunnel and Spillway Modification Project forward.

Negotiations with MJA have concluded and the Agreement for professional services was approved by the Agency Board of Directors on December 6, 2016 and recommended for approval by the Agency Board of

Supervisors (Attachment 1) A presentation on the Agreement was made at the joint meeting of the Agency Board of Directors and the Agency Board of Supervisors on December 6, 2016 (Attachment 3).

OTHER AGENCY INVOLVEMENT:

County Counsel has reviewed the contract documents. Contracts and Purchasing was also involved in the Request for Proposal process. Due to the late submission of this report, the CAO Budget and Analysis division was not provided adequate time to review for potential fiscal, organizational, policy or other implications to the County of Monterey.

FINANCING:

The Agreement with MJA will be funded by the WRA FY 2016-17 Adopted Budget for the Interlake Tunnel and Spillway Modification Fund 426-9300-8267-WRA036 which has sufficient appropriations in the amount of \$3,161,635 to compensate the MJA Agreement.

Prepared by: Brent Buche, Deputy General Manager, (831) 755 4860

Approved by: \_\_\_\_\_  
David E. Chardavoyne, General Manager (831) 755-4860

Attachments:

1. Agreement for Professional Services
2. Board Order
3. Presentation