



## Board Report

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**File #: A 17-437, Version: 1**

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- a. Approve Change Order No. 13 for the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, Federal Aid Project No. RSTPLE-5944(111) ("Project"), to provide funding for contract change orders by Viking Construction Company;
- b. Approve Amendment No. 1 to Professional Services Agreement No. A-13344 with Vali Cooper & Associates, Inc. increasing the not to exceed amount of \$749,984 by \$211,107 for a total amount not to exceed \$961,091, to continue to provide construction management services associated with the construction phase of the Castroville Bicycle/Pedestrian Path and Railroad Crossing, County Project No. 8622, Federal Aid Project No. RSTPLE-5944 (111), under Request for Proposals (RFP) No. 8622, with no extension to the term of the Agreement beginning October 25, 2016 through October 24, 2019, including the option to extend the Agreement for two (2) additional one (1) year period(s); and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to Professional Services Agreement No. A-13344 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement.

### RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Approve Change Order No. 13 for the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, Federal Aid Project No. RSTPLE-5944(111) ("Project"), to provide funding for contract change orders by Viking Construction Company;
- b. Approve Amendment No. 1 to Professional Services Agreement No. A-13344 with Vali Cooper & Associates, Inc. increasing the not to exceed amount of \$749,984 by \$211,107 for a total amount not to exceed \$961,091, to continue to provide construction management services associated with the construction phase of the Castroville Bicycle/Pedestrian Path and Railroad Crossing, County Project No. 8622, Federal Aid Project No. RSTPLE-5944 (111), under Request for Proposals (RFP) No. 8622, with no extension to the term of the Agreement beginning October 25, 2016 through October 24, 2019, including the option to extend the Agreement for two (2) additional one (1) year period(s); and
- c. Authorize the Contracts/Purchasing Officer or Contracts/Purchasing Supervisor to execute Amendment No. 1 to Professional Services Agreement No. A-13344 and future amendments to the Agreement where the amendments do not significantly alter the scope of work or change the approved amount of the Agreement.

### SUMMARY/DISCUSSION:

On November 1, 2016, the Board of Supervisors awarded a contract to Viking Construction Company, the lowest responsible and responsive bidder, for the Castroville Bicycle/Pedestrian Path and Railroad Crossing Project No.8622, Federal Aid Project No. RSTPLE-5944(111) ("Project"), in the total amount of \$6,509,051. As part of this action the Board also authorized a contingency (not to exceed 10% of the contract amount) to provide funding for approved contract change orders, and the Resource Management Agency (RMA) Director to execute the contract and, subject to the terms of the Public Contract Code, approve change orders to the contract that do not exceed 10% of the original contract amount, and do not significantly change the scope of work. Construction began in January 2017 and is expected to be completed in spring 2018.

The project is to provide a safe railroad crossing for bicyclists and pedestrians, especially school-aged children attending Elkhorn Elementary School and North Monterey County High School. The Project is intended to remove bicyclists and pedestrians from the Union Pacific Railroad (UPRR) track and State Route 156 (SR-156).

During the course of construction of the Project, significant coordination for construction contract change orders have been executed due to unforeseen field conditions; including an alignment error that occurred during the construction of the foundation of the bridge. Addressing these change orders and coordinating with the Engineer on Record to resolve the alignment error has required additional time and effort from Vali Cooper & Associates, Inc., and thus, has expended most of their construction management budget.

Approval of Amendment No. 1 to PSA No. A-13344 will allow Vali Cooper & Associates, Inc. to continue to provide construction management services, associated with the construction phase of the Project, including the addition of lighting on the bridge. Amendment No. 1 will increase the total not to exceed amount of \$749,984 by \$211,107 for a total amount not to exceed \$961,091, with no extension to the term of the Agreement beginning October 25, 2016 through October 24, 2019, with the option to extend the Agreement for two (2) additional one (1) year period(s).

In June of this year, the County was notified by the Transportation Agency for Monterey County (TAMC) that there were Regional Surface Transportation Program (RSTP) funds available that needed to be allocated to a project already in construction before the end of Fiscal Year 2017. TAMC and County staff decided that the funds be allocated to the Castroville Bicycle/Pedestrian Path and Railroad Crossing project to fund the lighting portion of the project, which was included in the scope of work as an optional element. TAMC agreed to provide the County with \$1,177,181 in RSTP funds added to the Castroville project. In exchange, County agreed to move \$248,249 of Transportation Development Act (TDA) funds from the Castroville project to the Holman Highway Roundabout. This results in a net increase of about \$928,932 to the Castroville project to include the lighting work and address added costs related to the alignment error. The lighting work is estimated to be \$300,000. This work will be incorporated into the construction contract via contract change order (Change Order No. 13).

#### OTHER AGENCY INVOLVEMENT:

The Office of the County Counsel and the Auditor-Controller's Office have reviewed and approved Amendment No. 1 as to form and legality, and fiscal provisions, respectively.

#### FINANCING:

The total estimated project cost, including environmental, engineering, right-of-way, and construction (including the increase in contingency) is \$10,701,115, which will be funded by various Federal and State funds (Federal Earmark Grade Crossing, Transportation Enhancement [TE], Active Transportation Program [ATP], State Transportation Improvement Program [STIP], Transportation Development Act [TDA], and Regional Surface Transportation Program [RSTP]). There is sufficient appropriation in the adopted FY 2017-18 budget in the Road Fund 002, Appropriation Unit RMA 012 to finance these changes and continue the construction phase of the project.

#### BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

The project is to construct a transportation infrastructure that will provide a safe crossing over the UPRR track. The recommended action supports the following Board of Supervisors' Strategic Initiatives:

☐ Economic Development  
☐ Administration  
☐ Health & Human Services  
☒ Infrastructure  
☒ Public Safety

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Reviewed by: Donald D. Searle, RMA Deputy Director of Public Works & Facilities  
Approved by: Carl P. Holm, AICP, Resource Management Agency Director

The following attachments are on file with the Clerk of the Board:

Attachment A - Project Budget  
Attachment B - Location Map  
Attachment C - Amendment No.1 to PSA  
Attachment D - PSA  
Attachment E - Summary of Annual Expenditures and Balances of the PSA