



Legislation Details (With Text)

File #: 2017-734 **Version:** 1 **Name:**

Type: Consent **Status:** Agenda Ready

File created: 9/7/2017 **In control:** Successor Agency

On agenda: 9/19/2017 **Final action:**

Title: CONSIDER APPROVAL OF THE THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT TO EXTEND THE TIMELINE FOR ANDERSONPENNA PARTNERS, INC. (SUCCESSOR AGENCY) FOR CONSTRUCTION MANAGEMENT SERVICES - CARSON STREET MASTER PLAN

Sponsors: Public Works

Indexes:

Code sections:

Attachments: 1. EXH 1 LOCATION MAP Proj1043_CarsonSt_Vicinity, 2. EXH 2 FEE PROPOSAL FOR 3rd AMENDMENT, 3. EXH 3 3RD AMENDM TO AGREEM with ANDERSON PENNA_FINAL, 4. EXH 4 Original, 1st Amendment, 2nd Amendment

Date	Ver.	Action By	Action	Result
9/19/2017	1	City Council		

Report to Successor Agency

Tuesday, September 19, 2017

Consent

SUBJECT:

CONSIDER APPROVAL OF THE THIRD AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT TO EXTEND THE TIMELINE FOR ANDERSONPENNA PARTNERS, INC. (SUCCESSOR AGENCY) FOR CONSTRUCTION MANAGEMENT SERVICES - CARSON STREET MASTER PLAN

I. SUMMARY

The construction phase of the Carson Street Master Plan (Project No. 1043) is nearing 90% completion and is expected to be completed at the end of September. The Successor Agency entered into a professional services agreement with AndersonPenna Partners, Inc. (APP) to assist staff in THE management of this complex project.

The Third Amendment to their professional services agreement is requested for APP to complete the post-construction services and project closeout duties. The additional work authorization is needed to address the lengthened time schedule and additional project management activities. The Successor Agency has previously allocated sufficient funds in the project's contingency account to cover the requested \$79,290 in post-construction project management activities.

No additional appropriation is required as part of this staff report. No general fund money has been used in this project.

II. RECOMMENDATION

TAKE the following actions:

1. APPROVE the Third Amendment to the Professional Services Agreement with AndersonPenna Partners, Inc., to reflect an extension of the time for construction management services, for a negotiated fee not-to-exceed \$79,290.00.
2. AUTHORIZE the Chairman to execute the Third Amendment to the Professional Services Agreement with AndersonPenna Partners, Inc., following approval as to form by the Agency Counsel.

III. ALTERNATIVES

1. DO NOT APPROVE the Third Amendment to the Professional Services Agreement with APP.
2. TAKE another action the Successor Agency Board deems appropriate.

IV. BACKGROUND

The Carson Street Master Plan project is a \$17M project that includes the installation of drought tolerant landscaping in parkways and medians, street furniture, Light Emitting Diode (LED) street lights, removal and replacement of curbs and gutters, roadway reconstruction, installation of a reclaimed water line, and landscape enhancements throughout a 1.75 mile stretch of roadway on Carson Street between the I-405 and the I-110 freeways, and on Avalon Boulevard from the I-405 freeway to 220th Street (Exhibit No. 1).

On July 7, 2015, the Carson Successor Agency approved Item No. 24; Award of Construction Contract to Powell Constructors, Inc., in the amount of \$16,937,335.00. The Successor Agency Board also authorized the expenditure of a construction contingency in an amount not-to-exceed \$2,540,600.25 for change orders such as the removal and remediation of contaminated soil, substructure conflicts, and other unforeseen construction work that may be required to complete this project.

The required improvements along Carson Street and Avalon Boulevard are approximately 90% complete. The following items are expected to be completed by September 30, 2017:

- City Hall Plaza and Added Scope Items: Installation of plaques, door actuator, handrail painting, and concrete etching.
- Landscaping within the Avalon Boulevard medians from 220th Street to the I-405 freeway.
- Monument Tower Sandstone and Lighting: Monument tower sandstone cladding, and installation of the backlit pin letters and lantern.

- Construction of sidewalk and installation of fence under the Department of Water and Power right-of-way.
- Street Furniture: 90% of the street furniture is in place, including benches and bike racks. The remaining street furniture, including trash receptacles, will be completed prior to the Punch-List and clean-up activities.
- Punch-List and Project Clean-Up.

APP continues to play a vital role in ensuring that construction progresses on schedule, and is complete by September 30, 2017. For the post-construction phase of the project, APP will:

- Help simplify the takeover process and make sure that the work is completed in accordance with the construction documents.
- Enforce the provisions of the specifications, and require the contractor to submit well-coordinated operations and maintenance manuals, and all executed certificates of warranties and guarantees.
- Perform closeout duties, including the final organization of project files, and assist the City with filing of the Notice of Completion, and the release of retention.
- Make sure that the as-built plans are turned over to the City in a timely manner.

APP requested additional professional fees to extend the necessary construction management work. For these additional services, APP submitted their proposal, and staff negotiated the agreement amendment for an additional fee of not-to-exceed \$79,290.00 (Exhibit No. 2).

Staff recommends that the Successor Agency Board approve the Third Amendment to the Professional Services Agreement with APP to accommodate the project closeout duties through November 30, 2017 for a negotiated fee not-to-exceed \$79,290.00 (Exhibit No. 3). This recommended additional fee will be funded using a portion of the appropriated construction contingency funds that were previously approved by the Successor Agency Board for this project. No additional appropriation will be required as part of this staff report. Attached for reference are the Original Contract, 1st Amendment to the Contract, and 2nd Amendment to the Contract (Exhibit No. 4).

V. FISCAL IMPACT

This project was entirely funded with Successor Agency Bond fund proceeds. The total construction fund awarded for this project is \$20,108,058.00. Taking into account the remainder of the improvements needed to complete the project, it is anticipated that at the completion of the project, the total construction expenditures/costs will be less than the available construction fund, and this surplus is being used to pay for the additional professional service fee of \$79,290.00. A fund transfer from the construction contingency account, to the professional services fee account, will be processed to formalize the funding, and to accommodate the staff report recommendation. No additional appropriation of funds is required.

VI. EXHIBITS

1. Location Map. (pg. 4)
2. Proposal from AndersonPenna Partners, Inc. (pgs. 5-7)
3. Third Amendment to the Professional Services Agreement with APP. (pgs. 8-16)
4. Original Contract, 1st Amendment, 2nd Amendment. (pgs. 17-60)

1.

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