



## Legislation Text

File #: 2021-305, Version: 1

### Report to Mayor and City Council

Tuesday, April 20, 2021

Consent

#### SUBJECT:

**CONSIDERATION OF THE SECOND AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH RKA CONSULTING GROUP INC., FOR PROJECT NO. 675: SEPULVEDA BOULEVARD WIDENING FROM ALAMEDA STREET TO THE EAST CITY LIMIT IN THE AMOUNT OF \$223,950.00; AND CONSIDERATION OF RESOLUTION NO. 21-046, AMENDING THE FISCAL YEAR 2020-21 BUDGET IN THE SPECIAL REVENUE FUND IN THE AMOUNT OF \$458,901.37 (CITY COUNCIL)**

#### **I. SUMMARY**

These actions would approve a Second Amendment to a Professional Services Agreement with RKA Consulting Group, Inc. for design services related to the Sepulveda Boulevard Widening from Alameda Street to the East City Limit (Project No. 675), for which the City recently received an award from the LA Metro Board in the amount of \$6,019,999 to allow the project to be completed. RKA was the original design engineer when the project was initiated in 2013 and the contract remains open.

Given the time that has elapsed between the original design work and now, more stringent seismic requirements and significant changes in environmental codes and requirements require the PS&E (Plans, Specification and Estimate) to be updated. In an engineering project, it is customary to have the same firm update plans rather than rebidding and hiring a new firm, because a new firm will almost always want to start over at considerable additional cost. Due to the knowledge of RKA's team, the data and information collected and used in the original design, and to stay on schedule and within the expectations with the grant funds, staff is recommending continuing the design with RKA.

The earlier project was halted in 2017 because the City did not have the funds to complete the project, leaving \$169,327.37 from 2017 in design work from Amendment No. 1 uncompleted. Because the work was halted, that amount defaulted to the reserve of the Gas Tax Account at the end of the fiscal year and remained in the Fund Balance of the Gas Tax Fund and needs to be re-appropriated, which is a normal budget activity.

Staff requested RKA to submit a proposal to update the plans and specifications to meet the latest codes and requirements, structural and environmental modifications are needed. To complete the environmental requirements, a resubmittal and update of the environmental documents and permit requirements from the California Department of Fish and Wildlife (CDFW), United State Army Corps of Engineer (USACE) and other related agencies are required.

RKA submitted its fee proposal and staff negotiated the agreement revision for an additional fee of \$223,950.00. Therefore, to complete the design, the total cost is the remaining \$169,327.37 plus the additional fee of \$233,950 (plus contingency) for a total of \$458,901.37.

This amount is significantly lower than what this work would cost if the City were to engage in a new competitive process, essentially starting over. Staff, therefore, is requesting the City Council to approve the Second Amendment to the Professional Services Agreement with RKA for a total contract sum not-to-exceed \$656,243.00 (Exhibit No. 3).

On January 15, 2013, the City Council approved the original Agreement with RKA in the amount of \$187,600.00, for the preparation of PS&E (Exhibit No. 1). On May 17, 2016, the City Council approved the First Amendment, which included an expanded scope of work for the design of roadway and structural components of the bridge and permit procurement from various agencies for an additional \$244,693.00, resulting in a total contract sum of not-to-exceed \$432,293.00 (Exhibit No. 2).

The project was halted in 2017 at approximately 65-70% design with \$169,327.37 remaining in the design budget, due to insufficient construction funding that resulted in the lapsing of the then-approved grant funds. In 2019, staff submitted a grant application through SBCCOG for Measure "M" Multi-Year Sub-Regional Program (M-MSP). The grant application was selected and LA Metro Board approved grant funds in the amount of \$6,019,999 for the completion of the PS&E and construction of said project.

## **II. RECOMMENDATION**

TAKE the following actions:

1. APPROVE the Second Amendment to the Professional Services Agreement with RKA Consulting Group Inc. to reflect an increase in the scope of work and increase in compensation in the amount of \$223,950.00, resulting in a total contract sum of not-to-exceed \$656,243.00.
2. AUTHORIZE a 10% design contingency in the amount of \$65,624.00 to cover any additional design and consultation cost necessary associated with unforeseen conditions of the project during the construction phase.
3. AUTHORIZE the Mayor to execute the Second Amendment to the Professional Services Agreement with RKA Consulting Group, Inc. following approval as to form by the City Attorney.
4. ADOPT Resolution No. 21-046, "A RESOLUTION OF THE CITY OF CARSON CITY COUNCIL AMENDING THE FISCAL YEAR 2020-21 BUDGET IN THE SPECIAL REVENUE FUND", which re-appropriates funds in the amount of \$169,327.37 that were

approved in Fiscal Year 17/18 and appropriates the additional funds necessary for the Second Amendment. (Exhibit No. 4)

### **III. ALTERNATIVES**

1. DO NOT APPROVE the Second Amendment to the Professional Services Agreement.
2. TAKE another action the City Council deems appropriate consistent with the requirements of the law, however, if the project cannot be completed in a timely manner, the grant funding in the amount of \$6,019,999 will be forfeited.

### **IV. BACKGROUND**

The City's Capital Improvement Program (CIP) calls for the design and construction of Project No. 675: Sepulveda Boulevard Widening from Alameda Street to the East City Limit (Exhibit No. 5). The project involves the widening and improvement of the roadway and bridge along Sepulveda Boulevard to provide three lanes of traffic in both directions, construction of new sidewalk, and the modification of the existing traffic signal.

On January 15, 2013, the City Council approved a Professional Services Agreement with RKA for the preparation of construction plans, specifications, and estimates (PS&E) for Project No. 675: Sepulveda Boulevard Widening from Alameda Street to the East City Limit. In February 2013, RKA was officially authorized and given the Notice to Proceed with the design of the project.

On May 17, 2016, the City Council approved Item No. 38, approving the First Amendment to the Professional Services Agreement with RKA, which involved an expanded scope of work for the design of roadway and structural components of the bridge and permit procurement from various agencies such as U.S. Army Corps of Engineers (USACE), Regional Water Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW) since work is anticipated to occur within the Dominguez Channel. In other previous City projects, these permits were stipulated to be obtained by the contractor after the award of the construction contract. That practice has caused uncertainties and delays to the completion of the projects. It was concluded that it is in the city's best interest to obtain these permits prior to the commencement of the bidding process.

Due to insufficient funding to construct the project, the project was halted in 2017 and some of the approved grant funds lapsed. In October 2019, staff submitted a grant application through SBCCOG for Measure "M" Multi-Year Sub-Regional Program (M-MSP) and on August 19, 2020, the City received notification that the grant application was approved. LA Metro Board approved the grant fund in the amount of \$6,019,999 for the completion of the Plans, Specification and Estimate (PS&E) and construction of said project.

Based on the approval from LA Metro, staff reached out to RKA to reactivate the plans. Given that the project was inactive for more than 4 years and taking into consideration the changes in the code and requirements including more stringent seismic requirements, as well as significant changes in environmental codes and requirements, the PS&E must be updated. Staff requested RKA to submit the proposal to update the structural calculation and plans, complete the resubmittal of the environmental and permit requirements from the California Department of Fish and Wildlife (CDFW), United State Army Corps of Engineer (USACE) etc.

Because the additional scope builds upon RKA's earlier work, staff believes that the cost to continue with RKA is significantly lower than what it would be if the City were to engage in a new competitive process, essentially starting over. Due to the knowledge of RKA's team, the data and information collected and used in the original design, and to stay within the expectations with the grant funds, staff recommends continuing the design with RKA.

To ensure the project is moving the right direction, staff is also working on the Request for Proposal (RFP) to retain a professional Engineering firm to lead the Construction Management (CM) team and provide the assistance to the City for the QA/QC and inspection for this project. Once the selection process is completed, staff will make recommendation to the City Council for consideration.

## **V. FISCAL IMPACT**

The negotiated fee for the Second Amendment to the Professional Services Agreement is \$223,950.00. This, plus the \$169,327.37 remaining in the contract from when it was halted in 2017, totals \$458,901.37, which needs to be appropriated to Project 675. These amounts are reflected in Resolution No. 21-046. Staff is also requesting design contingency in the amount of \$65,624.00, which equates to 10% of the total contract of \$656,243.

## **VI. EXHIBITS**

1. RKA Original Agreement (pgs. 5-35)
2. RKA First Amendment (pgs. 36-57)
3. RKA Second Amendment (pgs. 58-63)
4. Resolution No. 21-046 (pgs. 64-65)
5. Location Map (pg. 66)

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