



Santa Clara Valley Water District

File No.: 17-0871

Agenda Date: 2/27/2018

Item No.: 3.2.

BOARD AGENDA MEMORANDUM

SUBJECT:

Amendment No. 4 to Standard Consultant Agreement A3618A in the Amount of \$240,813 with NV5, Inc., Formerly Known as Nolte Associates, Inc., for the Design of the Pope/Chaucer Street Bridge Replacement at San Francisquito Creek, Project No. 26284001 (Palo Alto, Menlo Park) (District 7).

RECOMMENDATION:

Approve Amendment No. 4 to Agreement A3618A with NV5, Inc., formerly known as Nolte Associates, Inc., to provide \$240,813 for additional professional engineering design services for the Pope/Chaucer Street Bridge Replacement Project at San Francisquito Creek, for a new Total Not-To-Exceed Fee of \$750,610.

SUMMARY:

Consultant is performing professional engineering design services for the Pope/Chaucer Street Bridge Replacement Project (Project) at San Francisquito Creek. This Project will replace the existing bridge with a new bridge that will provide additional hydraulic capacity to pass all historic flood events including the largest recorded flood event in 1998. Project design began in 2012, however, Project design was suspended in 2013 for several years until additional public outreach was conducted and stakeholders agreed on the bridge design criteria.

The San Francisquito Creek Joint Powers Authority (SFCJPA), the local sponsor for the San Francisquito Creek Flood Protection Project, is preparing the Environmental Impact Report (EIR). The EIR needed further development before Project design could continue, which was another reason the Project design phase services were temporarily stopped. Public outreach has been completed and the Project design phase has been restarted. The draft EIR is scheduled to be released in 2018 and the SFCJPA has agreed with the design criteria for the Project to carry the maximum flow that is conveyed from the upstream channel without impacting the adjacent properties along the road due to raising the road profile.

As a result of extensive outreach, and receiving and considering input from community and participating local public agencies, the Project is being redesigned, which will result in increased costs for preliminary engineering, hydraulic modeling, bridge type selection, and preparation of final design documents for construction. The Project is being redesigned for a lower bridge elevation, so the raised road profile does not require retaining walls on the adjacent properties. The Project is also

being redesigned to demolish half of the existing culvert in two phases instead of one to maintain one lane of traffic during construction and requires additional analysis and construction staging details. In addition, since the design contract was executed in 2012, Caltrans issued a Notice to Designers in 2016 that requires a more complicated structural design be considered and implemented into the bridge design.

Increased Agreement Costs

Since the original Agreement was executed, the Consultant's hourly rates and fees for performing the remaining activities have increased. Although the Agreement was amended three times since 2012 to extend its term, the hourly rates and not-to-exceed fees have remained the same since the Agreement was originally executed. The recommended Amendment No. 4 implements increased hourly rates and Consultant fees.

Another reason for the increase in fees for this Project is the due to the District's suspension of the design services and the effect of that action on the Consultant staff. After resuming design, the Consultant has had to reassign personnel for this Project and reevaluate the Project design. Several of the Consultant's key staff members have changed since the Project design was put on hold and newly assigned staff has had to become familiar with the existing design and reference materials in order to resume working on this Project.

The revised Project design is scheduled to be completed in winter 2018. Staff recommends amending the Consultant design services Agreement to increase the not-to-exceed amount to provide for sufficient funds due to the increased expense resulting from the District's suspension of design services from 2013 to 2016 and the services necessary to prepare a revised Project design due to the significant changes in bridge design criteria.

Following completion of Project design, the parties intend to negotiate and execute an amendment to this Agreement with Consultant to provide construction phase engineering support services as Engineer-of-Record.

Consultant Agreement History

On October 23, 2012, the Board of Directors (Board) approved the original Agreement with the Consultant to provide professional engineering services for the design of the Pope/Chaucer Street Bridge Replacement Project at San Francisquito Creek.

On April 9, 2014, Amendment No. 1 was approved to extend the term of the Agreement from April 30, 2014 to June 30, 2015.

On April 15, 2015, Amendment No. 2 was approved to extend the term of the Agreement from June 30, 2015 to December 31, 2016.

On January 1, 2017, Amendment No. 3 was retroactively approved to extend the term of the Agreement from December 31, 2016 to March 31, 2019 and document the Consultant's name change from Nolte Associates, Inc. to NV5, Inc.

Amendment No. 4 is now recommended to provide for additional professional engineering services, increasing the Total Not-to-Exceed compensation to \$750,610, and extending the schedule. See Amendment No. 4 to Agreement A3618A, Revised Appendix Two, Fees and Payments for a breakdown of the revised fees per tasks.

On January 8, 2018, staff discussed with the Board's Capital Improvement Program Committee their recommendation to amend this design services Agreement again in order to provide sufficient funds and time for the Consultant to implement the new design elements and finalize the documents for the construction phase.

Next Steps

Upon Board approval of the recommendation, staff will have the resources to have the Consultant complete the design and provide advertising support for the Pope/Chaucer Street Bridge Replacement Project at San Francisquito Creek. Staff anticipates advertising the Project in February 2019 and starting construction in April 2019. The construction duration is expected to be 12 months.

FINANCIAL IMPACT:

The amount of Amendment No. 4 to Standard Consultant Agreement A3618A is \$240,813. The proposed not-to-exceed compensation limits for the Agreement is \$750,610. There are sufficient funds available in the FY18 Project budget to fund this expense.

CEQA:

The recommended action does not constitute a project under the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in direct or reasonably foreseeable indirect physical change in the environment.

ATTACHMENTS:

Attachment 1: Amendment No. 4

UNCLASSIFIED MANAGER:

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