



Santa Clara Valley Water District

File No.: 20-1202

Agenda Date: 1/26/2021

Item No.: 6.1.

BOARD AGENDA MEMORANDUM

SUBJECT:

Approve Amendment No. 1 to Agreement No. A4263A, with Kleinfelder, Inc., for On-Call Geotechnical Engineering Services, CAS File No. 4913, Increasing the Fee by \$750,000, for a Total Revised Fee of \$1,750,000; and Amendment No. 1 to Agreement No. A4264A, with Cal Engineering & Geology, Inc., for On-Call Geotechnical Engineering Services, CAS File No. 4940, Increasing the Fee by \$750,000, for a Total Revised Fee of \$1,750,000.

RECOMMENDATION:

- A. Approve Amendment No. 1 to Agreement No. A4263A with Kleinfelder, Inc. for On-Call Geotechnical Engineering services, to increase the not-to-exceed fee by \$750,000, resulting in a total not-to-exceed fee of \$1,750,000; and
- B. Approve Amendment No. 1 to Agreement No. A4264A with Cal Engineering & Geology, Inc. for On-Call Geotechnical Engineering services, to increase the not-to-exceed fee by \$750,000, resulting in a total not-to-exceed fee of \$1,750,000.

SUMMARY:

Santa Clara Valley Water District (Valley Water) performs a number of capital and operational projects and programs to meet its mission and goals in water supply, flood protection, and watershed stewardship. Valley Water's geotechnical engineering staff routinely provides specialized technical support for these capital and operational projects and programs. The on-call services agreements will augment the services by Valley Water staff and provide additional geotechnical engineering services as needed.

Project Background and Previous Board Actions

Starting in 2011, the Board began approving on-call geotechnical consultant services agreements to augment the services provided by Valley Water staff. The use of an on-call geotechnical services was a success in terms of delivering geotechnical aspects of projects efficiently while controlling costs through established labor rates.

Most recently, on May 28, 2019, the Board approved consultant agreements with Kleinfelder, Inc. and Cal Engineering & Geology, Inc. to perform on-call Geotechnical Engineering services, as needed, each for a three-year term. The services are generally provided through task orders of up to \$200,000 approved by a Deputy Operating Officer.

Consultants Work Performed to Date

To date, Valley Water has issued a total of twenty-two (22) task orders for the two Agreements for various projects in planning, design, and construction phases and eighty (80%) of the approved not-to-exceed fee of \$1,000,000 for each consultant is expended. The expended amount is higher than anticipated due to the higher than anticipated demand for geotechnical support services from Capital Improvement Projects including but not limited to the Anderson Dam Federal Energy Regulatory Commission Order Compliance Project (FOCP), and ongoing operations and maintenance work.

Staff Management of Consultant Agreements

Staff has been actively monitoring and managing the Consultant's performance to ensure quality deliverables are produced on time and within budget. Progress meetings have been conducted periodically with the Consultants to assess progress of the projects. Valley Water also performs QA/QC review of all deliverables received from the Consultant for compliance with project scope, budget and schedule.

As generally required in all Valley Water consultant agreements, consultants are required to submit detailed monthly progress/status reports with their invoices. These reports are scrutinized by Valley Water staff before approval of any payment to the consultants.

Amendment No. 1 to Agreement No. A4263A and A4264A

Staff recommends approval of Amendment No. 1 to each agreement, which will increase the not-to-exceed fee by \$750,000 for each agreement, resulting in a total not-to-exceed fee of \$1,750,000 for each agreement. Valley Water has a large Capital Improvement Program consisting of numerous complex projects. Staff projects a continued demand for the same or a similar volume of geotechnical engineering services at similar expense for past task orders issued for FOCP, Capital Improvement Projects, and ongoing operations and maintenance work.

Approval of each Amendment No.1 will also allow staff to work towards the Board's directive of expediting the procurement process for a Public Private Partnership (P3) of the Purified Water Program. Advertising the Request for Proposals (RFP) for this P3 project is expected during FY22. Prior to the RFP advertisement, several preliminary geotechnical investigations will be completed to inform potential P3 proposers of site conditions.

On-call geotechnical engineering services for FOCP and Purified Water Program Project were not included in the scope of work for original agreements in 2019. These amendments will continue to provide a mechanism for both firms to perform the necessary geotechnical engineering services for the above-mentioned projects and keep them on schedule.

Based on staff's experiences with past task orders, increasing costs during the term of these agreements, and anticipated future increased costs to accomplish the services, staff recommends increasing the task order limit from \$200,000 to \$250,000.

Project staff also plans to solicit a new RFP for On-Call Geotechnical Engineering Services in early to mid-2021, since the existing agreements will expire in May 2022.

FINANCIAL IMPACT:

If the board approves both amendments, the not-to-exceed fee for each Agreement will be increased by the amount of \$750,000, for a total financial impact of \$1.5 million. No funds will be encumbered at this time for these Amendments. Individual operations and capital projects will budget and pay for these services as needed. Task orders will be approved by the Deputy Operating Officer for work on specific projects and funded by the adopted budget of those projects.

CEQA:

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

ATTACHMENTS:

Attachment 1: A4263A Amendment No. 1
Attachment 2: A4264A Amendment No. 1

UNCLASSIFIED MANAGER:

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