



## Legislation Text

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**File #:** RES 17-0044, **Version:** 1

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**TO:**

Honorable Mayor and Members of the City Council

**THROUGH:**

Mark Danaj, City Manager

**FROM:**

Stephanie Katsouleas, Public Works Director

Prem Kumar, City Engineer

**SUBJECT:**

Resolutions Approving the Following with AndersonPenna Partners, Inc. for: a) Amendment No. 1 for Additional On-Call Construction Management and Inspection Services for \$43,234, and b) Task Order No. 3 for \$55,200 for Additional Construction Management and Inspection Services for the Strand Stairs Rehabilitation Project (Public Works Director Katsouleas).

**ADOPT RESOLUTION NOS. 17-0044 AND 17-0061**

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**RECOMMENDATION:**

Staff recommends that City Council:

- 1) Adopt Resolution 17-0061 (Attachment 1) approving Amendment No. 1 to the \$400,000 On-Call Construction Management and Inspection Services Agreement with APP for an additional \$43,234 and Authorize the City Manage to execute the Amendment (Attachment 2).
- 2) Adopt Resolution 17-0044 (Attachment 3) approving Task Order No. 3 with AndersonPenna Partners, Inc. (APP) for \$55,200 for additional construction management and inspection services under the revised contract in item #1 above for the Strand Stairs Rehabilitation Project and authorize the City Manage to execute Task Order No. 3 (Attachment 4).

**FISCAL IMPLICATIONS:**

Increasing AndersonPenna's original \$400,000 On-Call Construction Management and Inspection Services Agreement to \$443,234 will increase the expenditure authorization limit needed to issue Task Order No. 3 for \$55,200 in order to complete oversight of the Strand Stairs Rehabilitation Project. Sufficient funds are available in the Strand Stairs Rehabilitation Project account and no additional appropriation is needed. See Attachment 5 for Strand Stairs Rehabilitation Project Budget and Expenditures report.

**BACKGROUND:**

**Strand Stairs Construction Award**

On February 16, City Council awarded a construction contract to RSB Group, Inc. for \$1,701,000 to rehabilitate many of the stairs connecting The Strand and the Marvin Braude Bike Path along the City's entire two-mile coastline. The project included replacing eight stair cases and restoring/restoring an additional 16 stair locations. Prior to that award, the City had twice bid out the

project (in 2014 and 2015) but failed to receive any bids. After consultation with and recommendations from potential contractors, the bid specifications were revised to allow for more time between stair restoration and rail fabrication for each set of stairs, as well as to allow for fabrication of smaller segments of the rails themselves. In order to ensure proper installation of the revised rails, it was imperative that the stair surfaces be completed *prior to* fabrication of the rails so that exact rail elevations and placement would be properly installed.

The contractor was authorized to start work in March 2016. However, the contractor was expressly prohibited from working during the active summer months between Memorial Day and Labor Day, thus prolonging the overall project timeline into 2017. Additionally, after the project commenced, it was discovered that some of the balustrade designs could not be implemented as designed and bid. This resulted in additional work to initiate new designs, review submittals, approve those designs and provide additional management and inspection services during installation.

### **Construction Management and Inspection Services**

On June 16, 2015, City Council approved a professional service agreement for on-call construction management and inspection services with APP for various capital projects as needed, with a total expenditure authorization limit of \$400,000. Two task orders have been authorized under that Agreement, which include Task Order No. 1 for \$214,109 for the Rehabilitation of Gravity Sewer Main Project in the Sand Section, and Task Order No. 2 for \$173,925 for oversight/inspection of the Strand Stairs Rehabilitation Project. The remaining expenditure authorization balance available under the original agreement is now \$11,966.

The original on-call construction management and inspection services scope of work included the following:

#### **1. Construction Management Services**

Complete project coordination; organizing and conducting regular progress meetings with all City, Contractor and Consultant representatives as appropriate; tracking and recording key actions, decisions and preparing/reviewing meeting minutes. APP will prepare monthly reports monitoring contractor performance and address project progress and any quality, cost and schedule issues.

#### **2. Inspection Services**

Providing daily City representation in dealing with the contractor and providing inspections that will verify the quality and content of work produced; ensuring compliance with contract documents; and identifying non-compliant work for correction. APP will provide written, photographic and video documentation of the project as it progresses and provide federal funding labor compliance checks as required for the project. They will also interact with the public in dealing with complaints, concerns and ensuring a safe work zone.

Due to the modifications approved during the construction phase of the Strand Stairs project (discussed above), as well as expanded services requested by APP to administer federal grant reporting requirements, additional construction management and inspection services totaling \$55,200 were needed to complete the Strand Stairs Rehabilitation Project. More specifically, the additional services needed (see also Attachment 6) included:

1. Preparing contract paperwork and submittal to Caltrans to comply with contract funding

requirements.

2. Additional coordination between the designer, contractor and designer due to the unforeseen design modifications of the balustrades.
3. Additional construction administration and submittal review due to the change from precast balustrades to post-top installations (this resulted in additional construction days as well).
4. Additional inspection time due to coring the stairs and new foundation installations (needed for new balustrade design).
5. Oversight and approval of additional modifications made by Los Angeles County after prior approval.
6. Changes due to unforeseen field conditions (sewer line crossing, unknown “cavities” under the stairs, regrading needed due to rain events and additional step repairs/replacements needed in the field).
7. Replacement rather than the planned repair of the 26<sup>th</sup> Street stairs.
8. Final documentation and closeout in order to meet federal requirements. This was needed following the departure of the staff person overseeing the project.

Because the Strand Stairs Rehabilitation Project is a federal funded project with Caltrans oversight, construction management/inspection is required to fulfill the funding obligations.

#### **DISCUSSION:**

As discussed above and provided in Attachment 6, APP submitted a detailed description of the additional services provided for \$55,200. Substantial completion of the construction work is anticipated by Memorial Day, 2017.

Because only \$11,996 is available in the original On-call Services contract with AndersonPenna Partners, Inc., an additional \$43,234 increase in the contract authorization limit is needed in order to cover the \$55,200 in additional services requested and issuance of Task Order No. 3. There is sufficient funding in the project account to fully cover the additional funding request. Therefore, staff recommends that City Council approve:

- 1) Amendment No. 1 to the \$400,000 On-Call Construction Management and Inspection Services Agreement with APP for an additional \$43,234 and Authorize the City Manager to execute the Amendment; and
- 2) Task Order No. 3 with AndersonPenna Partners, Inc. (APP) for \$55,200 for additional construction management and inspection services under the revised contract in item #1 above for the Strand Stairs Rehabilitation Project and authorize the City Manager to execute the Amendment.

#### **POLICY ALTERNATIVES:**

Approval of Amendment No. 1 to the On-Call Construction Management and Inspection Services Agreement with APP for \$43,234 to extend the previously approved contract work authorization limit and concurrently, approval of Task Order No. 3 with AndersonPenna Partners, Inc. (APP) for \$55,200 for on-going construction management and inspection services for the Strand Stairs Rehabilitation Project.

#### **ALTERNATIVE #1:**

Do not approve Amendment No. 1 for the additional construction management and inspection services during construction.

**PROS:**

The budgeted project funds would not be expended.

**CONS:**

Contractually the consultant is due compensation for additional work beyond their original scope of work. Many of the services have already been performed by the consultant midway through the construction contract. Furthermore, because this is a federal funded project with Caltrans oversight, adequate construction management/inspection is mandated to fulfill the funding obligations.

**PUBLIC OUTREACH/INTEREST:**

City staff performed significant outreach to residents before construction started for this project. No additional outreach is required to amend the existing on-call services agreement.

**ENVIRONMENTAL REVIEW**

Based on the California Environmental Quality Act (CEQA) requirements, a Notice of Exemption was filed for the project with the Los Angeles County Clerk's office prior to the start of the construction.

**LEGAL REVIEW**

The City Attorney has reviewed this report and determined that no additional legal analysis is necessary.

**Attachments:**

- 1) Resolution No. 17-0061
- 2) Amendment No. 1
- 3) Resolution 17-0044
- 4) Task Order No. 3
- 5) Strand Stairs Rehabilitation Project Budget and Expenditures Report
- 6) APP's Proposal for Extended Professional Construction Management Services