



City Council Staff Report

Date: July 11, 2012

CONSENT CALENDAR

Subject: APPROVAL OF AMENDMENT NO. 5 TO CONTRACT SERVICES AGREEMENT NO. 4780 WITH DOKKEN ENGINEERING FOR THE BELARDO ROAD BRIDGE & ROADWAY WIDENING, CITY PROJECT NO. 87-49

From: David H. Ready, City Manager

Initiated by: Public Works and Engineering Department

SUMMARY

An amendment to the contract services agreement with Dokken Engineering is recommended to include construction phase services (contract administration, materials testing, and inspection) for the Belardo Road Bridge & Roadway Widening, City Project 87-49.

RECOMMENDATION:

- 1) Approve Amendment No. 5 to Agreement No. 4780 with Dokken Engineering, in the amount of \$92,500 for a total revised contract amount of \$862,740 for the Belardo Road Bridge & Roadway Widening, City Project 87-49; and
- 2) Authorize the City Manager to execute all necessary documents.

STAFF ANALYSIS:

On October 1, 2003, the City Council approved Agreement No. 4780 with Dokken Engineering to provide civil engineering design services for the Belardo Road Bridge & Roadway Widening, City Project 87-49. This project will extend Belardo Road between Sunny Dunes Road and S. Palm Canyon Dr., including construction of a new bridge across Tahquitz Creek and various street improvements to Sunny Dunes Road, Mesquite Avenue, and Morongo Road.

On May 4, 2011, the City Council approved the plans and specifications, and authorized bidding for this project. As a federally funded project, this project is subject to Caltrans

ITEM NO. 20

and Federal Highway Administration (FHWA) oversight, therefore, it is recommended that the City's consultant take on the responsibility to ensure the construction of this project complies with all state and federal rules.

Staff has negotiated a contract amendment with Dokken Engineering in the amount of \$311,600 to provide the City with turnkey construction phase services for this project. On June 1, 2011, the City Council approved the contract amendment with Dokken Engineering for a total revised contract amount of \$770,240.

During the construction it has become necessary to increase the consultant's inspection and management involvement to closely monitor the contractor and to ensure compliance with the contract documents. Due to additional tasks and extra work for difficult weather conditions, the project has exceeded the working day allowance which requires greater construction management presence. Liquidated damages will be charged for unjustified contractor's delay. This contract amendment is based on a project schedule of 180 working days which exceed the originally budgeted 140 working days for construction management. The additional cost is \$92,500 increasing the Construction Services amount to \$404,100 for a total revised contract amount of \$862,740.

The estimated construction cost of this project is approximately \$3,450,000 – and the construction phase services represents 11.79% of this cost. Generally, construction administration/inspection costs vary from 10%-15% of the construction estimate, depending upon the complexity of the project.

Staff recommends Council approve the contract amendment which will ensure the consultant is available to provide the required construction services.

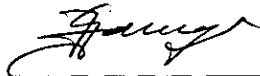
FISCAL IMPACT:

The total estimated cost of the construction phase of this project (including construction inspection and administration, and contingencies) is estimated at \$4,351,942. Of the original \$3,000,000 PLHD federal grant, \$2,325,194 remains available for construction (prior funds were used for the environmental and design phases). This leaves a balance of \$2,026,748 to be funded with local funds. However, the Agua Caliente Band of Cahuilla Indians ("Tribe") has agreed to provide funding for this project with its own federal IRR funds.

A maximum of \$2,035,362 in IRR funding is available to the City pursuant to a funding agreement with the Tribe previously approved by the City Council on May 4, 2011. Costs associated with this contract amendment will be covered by the IRR funding made available by the Tribe. No local miscellaneous General Funds will be required for this project.

SUBMITTED:

Prepared by:



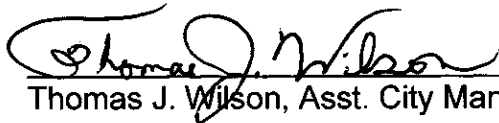
George F. Farago
Associate Civil Engineer

Recommended by:

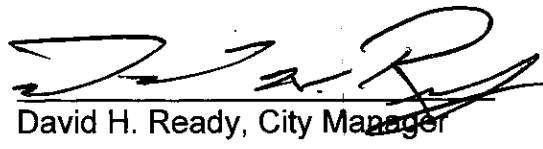


David J. Barakian
Director of Public Works/City Engineer

Approved by:



Thomas J. Wilson, Asst. City Manager



David H. Ready, City Manager

Attachments:

1. Amendment No. 5 to Agreement No. 4780

AMENDMENT NO. 5 TO CONTRACT SERVICES AGREEMENT NO. 4780
WITH DOKKEN ENGINEERING
BELARDO ROAD BRIDGE & ROADWAY WIDENING
CITY PROJECT NO. 87-49
FEDERAL PROJECT NO. PLHL-5282(020)

The following articles of Agreement No. 4780 are hereby amended to read as follows:

SECTION 2.1 Maximum contract amount is amended to Eight Hundred Sixty Two Thousand Seven Hundred Forty Dollars (\$862,740.00).

SCHEDULE OF COMPENSATION (Exhibit "C") – Exhibit "C" is amended as follows:

See the attached Exhibit "C" SCHEDULE OF COMPENSATION "**REVISED CONSTRUCTION SERVICES**"

Purchase Order Number(s):	416389
Agreement Number:	4780
Original City Council Approval:	October 1, 2003
Original Contract Amount:	\$ 325,000
Amount of Prior Increases	\$ 445,240
Amount of This Increase	\$ 92,500
Amended Total:	\$ 862,740

SIGNATURES ON NEXT PAGE

Except as specifically amended by this Amendment No. 5, all terms and provisions of Agreement No. 4780 remain in full force and effect.

ATTEST:

CITY OF PALM SPRINGS,
a California charter city

By: _____
City Clerk

By: _____
City Manager

APPROVED AS TO FORM:

By: _____
City Attorney

CONSULTANT: DOKKEN ENGINEERING

Check one: Individual Partnership Corporation

Corporations require two notarized signatures: One signature must be from the Chairman of Board, President, or any Vice President. The second signature must be from the Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, or Chief Financial Officer).

By: Richard T. Liptak
Notarized Signature of Chairman of Board,
President or any Vice President

By: Cathy Chan
Notarized Signature Secretary, Asst Secretary,
Treasurer, Asst treasurer or Chief Financial Officer

Name: RICHARD T. LIPTAK
Title: President

Name: Cathy Chan
Title: Secretary

State of California =
County of Sacramento =ss

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County of Sacramento =ss

On 6/15/12 before me, Camran Sadeghi,

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personally appeared Richard T. Liptak
who proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

personally appeared Cathy Chan
who proved to me on the basis of satisfactory evidence) to be
the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies),
and that by his/her/their signature(s) on the instrument the
person(s), or the entity upon behalf of which the person(s)
acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and
correct.

I certify under PENALTY OF PERJURY under the laws of the
State of California that the foregoing paragraph is true and
correct.

WITNESS my hand and official seal.

WITNESS my hand and official seal.

Notary Signature: Camran Sadeghi

Notary Signature: Camran Sadeghi

Notary Seal:

Notary Seal:

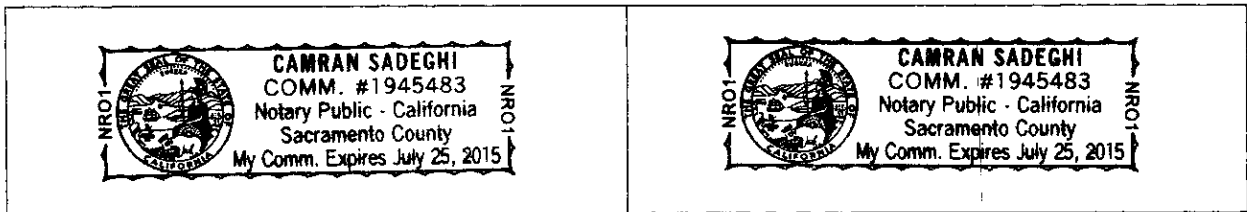


EXHIBIT "C"
SCHEDULE OF COMPENSATION

The following is the revised Exhibit "C", Schedule of Compensation, including Amendment No.5:

PHASE 1 – Preliminary Engineering and Studies: \$155,100
PHASE 2 – Final Engineering Design: \$199,900

PHASE 3 – ENVIRONMENTAL MITIGATION AND MONITORING SERVICES

Task 1.0 Environmental Permitting \$32,160
Task 2.0 Environmental Specification Review \$ 9,970
Task 3.0 Mitigation Monitoring Plan \$61,510

REVISED CONSTRUCTION SERVICES

The following budgeted hours are based on a project schedule of 180 working days.

	<u>Previous</u>	<u>This Increase</u>	
Project Manager: (36 + 23) hours @ \$200 / hour =	\$7,200	+ \$4,600	= \$11,800
Resident Engineer: (360+240) hours @ \$150 / hour =	\$54,000	+ \$36,000	= \$90,000
Structures Inspector: (320+320) hours @ \$120 / hour =	\$38,400	+ \$38,400	= \$76,800
Inspector: 360 hours @ \$100 / hour =	\$36,000		= \$36,000
Subtotal – Construction Inspection:	\$135,600	+ \$79,000	= \$214,600
Materials Testing:	\$45,000		\$45,000
Quality Assurance Testing:	\$10,000		\$10,000
Labor Compliance:	\$27,000	+ \$9,000	= \$36,000
Architectural Fabrication:	\$26,000		
Design Support:	\$50,000		
Equipment / Per Diem:	\$18,000	+ \$4,500	= \$22,500
Subtotal Construction Services:	\$311,600	+ \$92,500	= \$404,100
TOTAL PHASE 3:	\$415,240	+ \$92,500	= \$507,740
GRAND TOTAL OF CONTRACT	\$770,240	+ \$92,500	= \$862,740

END OF EXHIBIT "C"