



## Legislation Text

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**File #:** 22-384, **Version:** 1

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Adopt a Resolution to Approve and Authorize the City Manager to Execute Amendment No. 3 to an Existing Consulting Services Agreement with Kleinfelder, Inc. to Extend the Contract Term and to Increase the Amount of Compensation by \$57,103 for a Total not to Exceed Amount of \$100,941 and to Authorize Additional Cumulative Agreement Amendments Up to 10% (\$10,094) for the Washington Manor Park Irrigation Well Replacement, Project No. 2022.3060

### **COUNCIL PRIORITY**

- Infrastructure
- Sustainability & Resiliency

### **SUMMARY**

This contract amendment provides for additional consulting services required for the construction of a new irrigation well at Washington Manor Park. This amendment includes supplementary design work to complete construction bid documents under the current contract, as well as additional construction administration tasks.

### **RECOMMENDATIONS**

Staff recommends the following actions:

- Approve and Authorize the City Manager to execute Amendment No. 3 to the Consulting Services Agreement (CSA) with Kleinfelder that extends the contract from December 31, 2021, to December 31, 2023 and increases the fee by \$57,103; and
- Authorize the City Manager to negotiate and approve future agreement amendments up to a cumulative total of 10% (\$10,094) of the revised agreement amount.

### **BACKGROUND**

Water production from the existing irrigation well at Washington Manor park has declined due to sediment accumulation. The well no longer meets the irrigation demand of the park's landscape areas and irrigation now requires supplemental water from the East Bay Municipal Water District (EBMUD). A new well will allow the City to reduce use of costly EBMUD water and to conserve drinking water. In addition, operation and maintenance of the park's irrigation system will improve because the new well will remove the current irrigation system's water supply and pressure limitations that restrict the operation of the park's numerous sprinkler valves.

This project will install a new irrigation well, decommission the existing well, install a new prefabricated maintenance structure with perimeter chain link fence, and complete the necessary utility, electrical and irrigation interconnections.

Kleinfelder was selected as the consultant for the well design because they are familiar with the site

and its local geology from other prior City projects. On March 15, 2019, a Consulting Services Agreement (CSA) with Kleinfelder was approved for the preparation of bid documents for the irrigation well replacement project for \$31,638.

- Amendment 1 to that agreement increased the fee by \$4,200 to cover additional services related to relocation of the well to an entirely different section of the park
- Amendment 2 to that agreement increased the contract by \$8,000 to cover additional design consulting services to:
  - Collect site data unavailable on record drawings, and to review the suitability of the proposed electrical and irrigation points of connection.
  - Modify design as needed to properly connect with existing site utilities.
  - Determine a suitable prefabricated equipment shelter in lieu of salvaging the existing structure

The current value of this contract, including amendments 1 and 2, is \$43,838. Because this value is less than \$50,000; neither the original contract, nor Amendments 1 and 2, required City Council approval.

### **Analysis**

Construction of the well is anticipated in spring 2023. Amendment 3 extends the contract to the end of calendar year 2023 to ensure there is sufficient time to construct the work and close out the contract.

Amendment No. 3 increases the design scope to provide additional specifications and construction details required to make the plans suitable for a low-bid, public works contract. Kleinfelder's original design scope was based on well installation using a request for proposal selection process to select a qualified well contractor, with the design documents providing only a summary of the work. However, instead of a simple well replacement that could be designed and accomplished by a well contractor, the project scope has increased to include relocating the well, providing entirely new electrical service connections, and installing a new maintenance structure that requires the involvement of multiple trades. These additions to the design require use of a general contractor and the correct way to select general contractor is through a public bid based on price. As a result, details must be added to the contract documents to ensure that the quality and features of the finished construction meet the intent of the project. The additional fee for this effort is \$19,924.

Amendment No. 3 also includes well construction assistance services. These tasks were not included in the original contract because a design-build contractor would have included them as part of their bid. Kleinfelder will be onsite to observe all critical phases of the well construction, and provide related services such as:

- Interpreting field data collected from the test boring to provide a final well design and well screen placement commensurate with water quality and production potential; and
- Evaluating and providing engineering recommendations for pump type, placement (depth), and operation based on actual well depth; and
- Preparing a summary report documenting the well construction. This final report will include important reference information such as an as-built diagram of the well, the aquifers and lithology encountered, water quality analysis, and flowrate test results.

The additional fee for construction assistance is \$37,179. The total amount of amendment 3 is \$57,103. The consultant has reviewed amendment 3 and will sign a copy after approval by the City Council.

This contract represents staff's current understanding of the work required. Occasionally, changes to the scope of contracts are necessary to respond to new and previously unknown information or to include unanticipated additional items of work necessary for a complete product. To resolve these issues in a timely fashion and avoid delaying completion of the bid documents or providing responses to unexpected field issues during construction, staff requests authorization to issue individual contract amendments up to a cumulative total of 10%, or \$10,094 of the revised contract amount of \$100,941.

### **Current Agency Policies**

- Maintain and enhance San Leandro's infrastructure

### **Applicable General Plan Policies**

- Policy OSC-1.2 Park Maintenance. Provide for the regular, systematic maintenance of San Leandro's parks and recreational facilities to prevent deterioration, ensure public safety, and permit continued public use and enjoyment
- Policy OSC-1.4 Priority on Renovation. Where cost savings and equivalent benefits would be achieved, rehabilitate existing recreational facilities before building entirely new facilities. A priority should be placed on renovating athletic fields and swimming pools, improving energy efficiency, and replacing outdated facilities with new facilities that are safe, attractive, and more responsive to current needs

### **Permits and/or Variances Granted**

Permits from the City's Community Development Department and Alameda County Environmental Health Service Department will be obtained for this work.

### **Environmental Review**

A CEQA Notice of Exemption was filed with the County Recorder on October 26, 2018.

### **Financial Impacts**

The total estimated cost of the replacement irrigation well, including design, construction, construction management, and contingency is \$460,572.

The project is funded as follows:

<u>Account No.</u>	<u>Reso, Appropriation Dates &amp; Source</u>	<u>Amount</u>
190-17-802	FY 2022 ARPA Grant	\$412,534
210-62-129	FY 2022-23, General Funds 2023	<u>\$ 48,038</u>
Total Appropriation		\$460,572

This Council action will not impact fund balance because there are funds available in the FY2022-23 adopted budget.

**ATTACHMENTS**

- Att A - Resolution
- Att B - CSA Amendment 3 Scope of Work
- Att C - CSA Amendment 3 Compensation Schedule
- Att D - Original CSA with Amendments 1 and 2

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